



भारत का राजपत्र

The Gazette of India

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

सं० 36]

नई दिल्ली, शनिवार, सितम्बर 8, 1979/भाद्र 17, 1901

No. 36]

NEW DELHI, SATURDAY, SEPTEMBER 8, 1979/BHADRA 17, 1901

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation

(रक्षा मंत्रालय को छोड़ कर) भारत सरकार के मंत्रालयों और (संघ राज्यक्षेत्र प्रशासनों को छोड़ कर)
केन्द्रीय प्राधिकारियों द्वारा जारी किये गए सांविधिक आदेश और अधिसूचनाएं

Statutory Orders and Notifications issued by the Ministries of the Government of India
(other than the Ministry of Defence) by Central Authorities (other than the
Administrations of Union Territories)

भारत का निर्वाचन आयोग

आदेश

नई दिल्ली, 21 जलाई, 1979

ELECTION COMMISSION OF INDIA

ORDER

New Delhi, the 21st July, 1979

क्र० आ० 2984.—यतः, निर्वाचन आयोग का समाधान हो गया है कि जून, 1977 में हुए बिहार विधान सभा के लिए साधारण निर्वाचन के लिए 70-सोनबरसा निर्वाचन-क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री अस्राफ़ अली, ग्राम-पोस्ट लहुरिया, थाना बेला, जिला सीता मढ़ी, बिहार लोक प्रतिनिधित्व अधिनियम, 1951 तथा तदधीन बनाए गए नियमों द्वारा अशेषित अपने निर्वाचन व्ययों का कार्य भी लेखा वाखिल करने में असफल रहे हैं,

और यतः, उक्त उम्मीदवार ने, उसे सम्यक् सूचना दिए जाने पर भी इस असफलता के लिए कोई कारण अथवा सफ़्टीकरण नहीं दिया है और निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है,

अतः अब, उक्त अधिनियम की धारा 10क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री अस्राफ़ अली को समद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[सं० बिहार-वि०सं०/70/77(105)]

S.O. 2984.—Whereas the Election Commission is satisfied that Shri Asraf Ali, Village-Post Lahuria, Thana Bela, District Sitamarhi, Bihar a contesting candidate for general election to Bihar Legislative Assembly held in June, 1977 from 70-Sonbarsa constituency, has failed to lodge an account of his election expenses at all/as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And Whereas the said candidate, even after the notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure;

Now, Therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Asraf Ali to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No BR-LA/70/77 (105)]

आदेश

क्र० आ० 2985.—यतः, निर्वाचन आयोग का समाधान हो गया है कि जून, 1977 में हुए बिहार विधान सभा के लिए साधारण निर्वाचन के लिए 70-सोनबरसा निर्वाचन-क्षेत्र से चुनाव लड़ने वाले

उम्मीदवार श्री इजहारूल हाक, ग्राम-पोस्ट परिहार, जिला सीतामढ़ी, बिहार लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्घीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे हैं ;

और यतः, उक्त उम्मीदवार ने, उसे सम्यक् सूचना दिए जाने पर भी इस असफलता के लिए कोई कारण प्रयत्न स्पष्टीकरण नहीं दिया है और निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है ;

अतः अब, उक्त अधिनियम की धारा 10क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री इजहारूल हाक को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है ।

[सं० बिहार-वि० 5 सं०/70/77/(106)]

ORDER

S.O. 2985.—Whereas the Election Commission is satisfied that Shri Jharul Haque, Village-Post Parihar, District Sitamarhi, Bihar a contesting candidate for general election to the Bihar Legislative Assembly held in June, 1977 from 70-Sonbarsa constituency, has failed to lodge an account of his election expenses at all as required by the Representation of the People Act, 1951, and the Rules made thereunder ;

And Whereas the said candidate, even after the notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure ;

Now, Therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Jharul Haque to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order

[No. BR-LA/70/77(106)]

आदेश

क्र० आ० 2986.—यतः, निर्वाचन आयोग का समाधान हो गया है कि जून, 1977 में हुए बिहार विधान सभा के लिए साधारण निर्वाचन के लिए 70-सोनबरसा निर्वाचन-क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री वैद्य नाथ साह, ग्राम पोस्ट हनुमाननगर, जिला सीतामढ़ी, बिहार लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्घीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे हैं ;

और यतः, उक्त उम्मीदवार ने, उसे सम्यक् सूचना दिए जाने पर भी, इस असफलता के लिए कोई कारण प्रयत्न स्पष्टीकरण नहीं दिया है और निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है ;

अतः अब, उक्त अधिनियम की धारा 10क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री वैद्य नाथ साह को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है ।

[सं० बिहार-वि० सं०/70/77(107)]

ORDER

S.O. 2986.—Whereas, the Election Commission is satisfied that Shri Vaidya Nath Sah, Village Post Hanuman Nagar, Distt. Sitamarhi, Bihar a contesting candidate for general election to Bihar Legislative Assembly held in June 1977

from 70-Sonbarsa constituency, has failed to lodge an account of his election expenses at all/as required by the Representation of the People Act, 1951, and the Rules made thereunder ;

And Whereas the said candidate, even after the notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure ;

Now, Therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Vaidya Nath Sah to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. BR-LA/70/77 (107)]

आदेश

क्र० आ० 2987.—यतः, निर्वाचन आयोग का समाधान हो गया है कि जून 1977 में हुए बिहार विधान सभा के लिए साधारण निर्वाचन के लिए 70-सोनबरसा निर्वाचन-क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री हरिचन्द्र राय, ग्राम नोनाही, पी० आ० परिहार, जिला सीतामढ़ी, बिहार लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्घीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे हैं ;

और यतः, उक्त उम्मीदवार ने, उसे सम्यक् सूचना दिए जाने पर भी, इस असफलता के लिए कोई कारण प्रयत्न स्पष्टीकरण नहीं दिया है और निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई कारण या न्यायोचित्य नहीं है ;

अतः अब, उक्त अधिनियम की धारा 10क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री हरिचन्द्र राय को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है ।

[सं० बिहार-वि० सं०/70/77(108)]

ORDER

S.O. 2987.—Whereas the Election Commission is satisfied that Shri Harichandra Rai, Village Nonahi, P. O. Parihar, Distt. Sitamarhi, Bihar a contesting candidate for general election to Bihar Legislative Assembly held in June 1977 from 70-Sonbarsa constituency, has failed to lodge an account of his election expenses at all/as required by the Representation of the People Act, 1951, and the Rules made thereunder ;

And Whereas the said candidate, even after the notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure ;

Now, Therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Harichandra Rai to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. BR-LA/70/77 (108)]

आदेश

नई दिल्ली, 26 जुलाई, 1979

क्र० आ० 2988.—यतः, निर्वाचन आयोग का समाधान हो गया है कि जून, 1977 में हुए पश्चिमी बंगाल विधान सभा के लिए साधारण निर्वाचन के लिए 100-गोसाबा (अ० जा०) निर्वाचन-क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री अशित रंजन त्रिपाठी, ग्राम-रजत जुझि, डाक० माधुपुर, जिला-24-परगना, पश्चिमी बंगाल, लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्घीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का लेखा दाखिल करने में असफल रहे हैं ;

श्रीर, यत्, उक्त उम्मीदवार ने, उसे सम्यक् सूचना दिये जाने पर भी, अपनी इस असफलता के लिए कोई कारण प्रथवा स्पष्टीकरण नहीं दिया है, और, निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या व्यायीचित्य नहीं है ;

अतः अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री अशित रंजन मिश्रा को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है ।

[सं० प० बं०-वि० सं०/100/77(1)]

ORDER

New Delhi, the 26th July, 1979

S.O. 2988.—Whereas the Election Commission is satisfied that Shri Ashit Ranjan Mridha, village Rajatjubli, P. O. Sadhupur, Distt. 24-Parganas, West Bengal, a contesting candidate for general election to the West Bengal Legislative Assembly from 100-Gosaba (SC) assembly constituency, held in June, 1977, has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder ;

And whereas the said candidate, even after due notices has not given any reason or explanation for the failure and the Election Commission is further satisfied that he has no good reason or justification for such failure ;

Now therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Ashit Ranjan Mridha, to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. WB-LA/100/77(1)]

आदेश

का० प्रा० 2988.—यत्, निर्वाचन आयोग का समाधान हो गया है कि जून, 1977 में हुए पश्चिमी बंगाल विधान सभा के लिए साधारण निर्वाचन के लिए 100-गोसाबा (अ० जा०) निर्वाचन-क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री अशित रंजन मृदहा, ग्राम व डाक० दुल्की, जिला-24-परगना, पश्चिमी बंगाल । लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्धीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का लेखा दाखिल करने में असफल रहे हैं ;

और, यत्, उक्त उम्मीदवार ने, उसे सम्यक् सूचना दिये जाने पर भी, अपनी इस असफलता के लिए कोई कारण प्रथवा स्पष्टीकरण नहीं दिया है, और, निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या व्यायीचित्य नहीं है ;

अतः अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री अशित रंजन मृदहा को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है ।

[सं० प० बं०-वि० सं०/100/77(2)]

ORDER

S.O. 2989.—Whereas the Election Commission is satisfied that Shri Durgapada Sanpui, village & P. O. Dulki, Distt. 24-Parganas, West Bengal, a contesting candidate for general election to the West Bengal Legislative Assembly from 100-Gosaba (SC) assembly constituency, held in June, 1977, has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951 and the Rules made thereunder ;

And whereas the said candidate, even after due notices has not given any reason or explanation for the failure and the Election Commission is further satisfied that he has no good reason or justification for such failure ;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Durgapada Sanpui, to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. WB-LA/100/77(2)]

आदेश

नई दिल्ली, 27 जुलाई, 1979

का० प्रा० 2990.—यत्, निर्वाचन आयोग का समाधान हो गया है कि जून, 1977 में हुए उड़ीसा विधान सभा के लिए साधारण निर्वाचन के लिए 51-जाटनी निर्वाचन-क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री बंकिम चन्द्र मिश्रा, मुकाम राजा बाजार, डाकघर-जाटनी, जिला पुरी (उड़ीसा) लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्धीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का लेखा दाखिल करने में असफल रहे हैं ;

और यत्, उक्त उम्मीदवार ने, उसे सम्यक् सूचना दिये जाने पर भी, अपनी इस असफलता के लिए कोई कारण प्रथवा स्पष्टीकरण नहीं दिया है, और निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या व्यायीचित्य नहीं है ;

अतः अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री बंकिम चन्द्र मिश्रा को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है ।

[सं० 76/उड़ीसा-वि० सं०/51/77]

ORDER

New Delhi, the 27th July, 1979

S.O. 2990.—Whereas the Election Commission is satisfied that Shri Banukim Chandra Mishra, At Raja Bazar, P. O. Jatni, District Puri (Orissa) a contesting candidate for general election to the Legislative Assembly held in June, 1977, from 51-Jatni constituency, has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder ;

And whereas the said candidate, even after due notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Bankim Chandra Mishra to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. 76/OR-LA/51/77]

आदेश

नई दिल्ली, 30 जुलाई, 1979

का० प्रा० 2991.—यत्, निर्वाचन आयोग का समाधान हो गया है कि सितम्बर, 1977 में हुए त्रिपुरा विधान सभा के लिए साधारण निर्वाचन के लिए 28-कृष्णपुरम् (अ० ज० जा०) निर्वाचन-क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री विसंताम रॉय, ग्राम-कक्षाचारा, डाक० खनियामगल, जिला पश्चिम त्रिपुरा (त्रिपुरा राज्य) । लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्धीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का लेखा दाखिल करने में असफल रहे हैं ;

और, यत्, उक्त उम्मीदवार ने, उसे सम्यक् सूचना दिये जाने पर भी, अपनी इस असफलता के लिए कोई कारण प्रथवा स्पष्टीकरण नहीं

दिया है, और, निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है ;

अतः अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री बिलैहम रींग को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है ।

[सं० त्रिपुरा-वि० सं०/28/77(5)]

ORDER

New Delhi, the 30th July, 1979

S.O. 2991.—Whereas the Election Commission is satisfied that Shri Bilaiham Reang, Village Kakrachara, P.O. Khaslamangal, West Tripura District, (Tripura State) a contesting candidate for general election to the Tripura Legislative Assembly held in December, 1977 from 28-Krishnapur (ST) constituency, has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder ;

And whereas the said candidate, even after the notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure ;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Bilaiham Reang to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. TP-LA/28/77(5)]

आदेश

नई दिल्ली, 31 जुलाई, 1979

का० आ० 2992.—यतः, निर्वाचन आयोग का समाधान हो गया है कि जून 1977 में हुए बिहार विधान सभा के लिए साधारण निर्वाचन के लिए 280-बारसल गंज निर्वाचन-क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री फौजवारी लाल, ग्राम पारवती, पी० ओ० बाजितपुर, थाना बारसली गंज, जिला नवादा, बिहार लोक प्रतिनिधित्व अधिनियम, 1951 तथा तदधीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे हैं ;

और यतः, उक्त उम्मीदवार ने, उसे सम्यक सूचना दिए जाने पर भी, इस असफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं दिया है और निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है,

अतः अब, उक्त अधिनियम की धारा 30-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री फौजवारी लाल को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है ।

[सं० बिहार-वि० सं०/260/77(116)]

ORDER

New Delhi, the 31st July, 1979

S.O. 2992.—Whereas the Election Commission is satisfied that Shri Fauzdari Lal, Village Parwati, P. O. Wazitpur, Thana Warsliganj, Distt. Nawada, Bihar a contesting candidate for general election to Bihar Legislative Assembly held in June 1977 from 260-Warsliganj constituency, has failed

to lodge an account of his election expenses at all as required by the Representation of the People Act, 1951, and the Rules made thereunder ;

And whereas the said candidate, even after the notices, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure ;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Fauzdari Lal to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. BR-LA/260/77 (116)]

आदेश

का० आ० 2993.—यतः, निर्वाचन आयोग का समाधान हो गया है कि जून 1977 में हुए बिहार विधान सभा के लिए साधारण निर्वाचन के लिए 260-वारसल गंज निर्वाचन-क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री राम बदन सिंह, ग्राम पन्हेसा, पी० ओ० नीमी, जिला मुंगेर, बिहार लोक प्रतिनिधित्व अधिनियम, 1951 तथा तदधीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे हैं ;

और यतः, उक्त उम्मीदवार ने, उसे सम्यक सूचना दिए जाने पर भी, इस असफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं दिया है और निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है ;

अतः अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री राम बदन सिंह को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है ।

[सं० बिहार-वि० सं०/260/77 (117)]

ORDER

S.O. 2993.—Whereas the Election Commission is satisfied that Shri Ram Badan Singh, Village Panhesa, P. O. Nimi District Monghyr, Bihar a contesting candidate for general election to Bihar Legislative Assembly held in June, 1977 from 260-Warsliganj constituency, has failed to lodge an account of his election expenses at all as required by the Representation of the People Act, 1951, and the Rules made thereunder ;

And whereas the said candidate, even after the notices, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure ;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Ram Badan Singh to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. BR-LA/260/77(117)]

आदेश

नई दिल्ली, 1 अगस्त, 1979

का० आ० 2994.—यतः, निर्वाचन-आयोग का समाधान हो गया है कि फरवरी, 1978 में हुए आसाम विधान सभा के लिए साधारण निर्वाचन के लिए 40-सोरभोग निर्वाचन-क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री राम प्रसाद राय, गांव गेलेपारा, पी० सोर भोग

जिला कामरूप (ग्रामाम), लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्धीन बनाए गए नियमों द्वारा प्रपक्षित अपने निर्वाचन व्ययों का लेखा दाखिल करने में असफल रहे हैं,

और यत उक्त उम्मीदवार ने, उसे सम्पर्क सूचना दिने जाने पर भी, अपनी इस असफलता के लिए कोई कारण प्रथवा स्पष्टीकरण नहीं दिया है, और, निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है,

अतः अथ, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्द्वारा उक्त श्री राम प्रसाद राय को सदन के किसी भी सदन के या किसी राज्य की विधान-सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[सं. आसाम-वि०सं/40/78]]

ORDER

New Delhi, the 1st August, 1979

S.O. 2994.—Whereas the Election Commission is satisfied that Shri Ram Prasad Roy, Village Gelepara, P. O. Sorbhog, District Kamrup (Assam) a contesting candidate for general election to the Assam Legislative Assembly held in February, 1978, from 40-Sorbhog constituency, has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas the said candidate, even after due notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Ram Prasad Roy, to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. AS-LA/40/78]

आदेश

नई दिल्ली, 3 अगस्त, 1979

का० प्रा० 2995 —यत, निर्वाचन-आयोग का समाधान हो गया है कि जून, 1977 में हुए बिहार विधान सभा के लिए साधारण निर्वाचन के लिए 199-बडो निर्वाचन-क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री रामबुद्ध सिंह, ग्राम किचनी, पो० एब थाना हरनौत, जिला नालन्दा, बिहार, लोक प्रतिनिधित्व अधिनियम 1951 तथा तद्धीन बनाए गए नियमों द्वारा प्रपक्षित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे हैं,

और यत, उक्त उम्मीदवार ने, उसे सम्पर्क सूचना दिए जाने पर भी, इस असफलता के लिए कोई कारण प्रथवा स्पष्टीकरण नहीं दिया है और निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है,

अतः अथ, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्द्वारा उक्त श्री रामबुद्ध सिंह को सदन के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[सं. बिहार-वि०सं/199/77(118)]

ORDER

New Delhi, the 3rd August, 1979

S.O. 2995.—Whereas the Election Commission is satisfied that Shri Rambriksh Singh, Village Kichni, Post and Thana Hernaut, Distt Nalanda, Bihar, a contesting candidate for

general election to Bihar Legislative Assembly held in June, 1977 from 199-Chandi constituency, has failed to lodge an account of his election expenses at all as required by the Representation of the People Act, 1951, and the Rules made thereunder,

And whereas the said candidate, even after due notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure,

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Rambriksh Singh, to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No BR-LA/199/77(118)]

आदेश

नई दिल्ली, 4 अगस्त, 1979

का० प्रा० 2996 —यत, निर्वाचन आयोग का समाधान हो गया है कि जून, 1977 में हुए बिहार-विधान सभा के लिए साधारण निर्वाचन के लिए 194-बिहार निर्वाचन-क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री कपूर चन्द सुचान्ती, मु० भुसट्टा, डाक घर बिहारखरीफ, जिला नालन्दा बिहार, लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्धीन बनाए गए नियमों द्वारा प्रपक्षित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे हैं,

और यत, उक्त उम्मीदवार ने, उसे सम्पर्क सूचना दिए जाने पर भी, इस असफलता के लिए कोई कारण प्रथवा स्पष्टीकरण नहीं दिया है और निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है,

अतः अथ, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्द्वारा उक्त श्री कपूर चन्द सुचान्ती को सदन के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[सं. बिहार-वि०सं/194/77(120)]

ORDER

New Delhi, the 4th August, 1979

S.O. 2996.—Whereas the Election Commission is satisfied that Shri Kapoor Chand Suchanti, Moh Bhusatta, P. O. Bihar Sharif, District Nalanda, Bihar, a contesting candidate for general election to Bihar Legislative Assembly held in June, 1977 from 194-Bihar constituency, has failed to lodge an account of his election expenses at all required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas the said candidate, even after due notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure,

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Kapoor Chand Suchanti to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order

[No BR-LA/194/77(120)]

आदेश

नई दिल्ली, 6 अगस्त, 1979

का० प्रा० 2997.—यत, निर्वाचन आयोग का समाधान हो गया है कि जून, 1977 में हुए पश्चिम बंगाल विधान सभा के लिए साधारण निर्वाचन के लिए 120-मगरहाट पश्चिम निर्वाचन-क्षेत्र से चुनाव

लड़ने वाले उम्मीदवार श्री नरूल हक नस्कर, ग्राम-कचुआ, डाक० कालिकापोटा, वर्तमान निवास सलीम स्टोर, डेगंगा, डाक व थाना-डेगंगा (जिला-24 परगना) पश्चिमी बंगाल, लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्धीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का लेखा दाखिल करने में असफल रहे हैं।

और, यतः उक्त उम्मीदवार ने, उसे सम्यक् सूचना दिए जाने पर भी, अपनी इस असफलता के लिए कोई कारण प्रस्तुत नहीं किया है, और निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है ;

अतः, अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री नरूल हक नस्कर को संसद के किसी भी सदन के या किसी राज्य की विधान-सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[संख्या प० बं०-वि० सं०/120/77]]

ORDER

New Delhi, the 8th August, 1979

S.O. 2997.—Whereas the Election Commission is satisfied that Shri Narul Haque Naskar, Village Kachua, P.O. Kalikapota, at present residing at Salim Stores, Deganga, P.O. & P. S. Deganga (District 24-Parganas, West Bengal, a contesting candidate for general election to the West Bengal Legislative Assembly from 120-Magrahat West assembly constituency, held in June, 1977, has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder ;

And whereas the said candidate, even after due notices has not given any reason or explanation for the failure and the Election Commission is further satisfied that he has no good reason or justification for such failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Narul Haque Naskar, to be disqualified for being chosen as and for being a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. WB-LA/120/77]

आदेश

नई दिल्ली, 9 अगस्त, 1979

का० प्रा० 2998.—यतः, निर्वाचन आयोग का समाधान हो गया है कि जून, 1977 में हुए पश्चिमी बंगाल विधान सभा के लिए साधारण निर्वाचन के लिए 102-कुलटाली (अ० जा०) सभा निर्वाचन-क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री गंगाधर नामकर, गांव मधु-सूदनपुर, पो० छानरीगर नास, जिला 24-परगना (पश्चिमी बंगाल) लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्धीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे हैं ;

और, यतः, उक्त उम्मीदवार ने, उसे सम्यक् सूचना दिये जाने पर भी, अपनी इस असफलता के लिए कोई कारण प्रस्तुत नहीं किया है, और निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है ;

अतः अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री गंगाधर नामकर को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[सं० प० बं०-वि० सं०/102/77]]

ORDER

New Delhi, the 9th August, 1979

S.O. 2998.—Whereas the Election Commission is satisfied that Shri Gangadhar Naskar, Village Madhusudanpur, P. O. Chhatriser Lal, District 24-Parganas (West Bengal), a contesting candidate for general election to the Legislative Assembly held in June, 1977, from 102-Kultali (SC) constituency, has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder ;

And whereas the said candidate, even after due notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure ;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Gangadhar Naskar, to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. WB-LA/102/77]

आदेश

नई दिल्ली, 16 अगस्त, 1979

का० प्रा० 2999.—यतः निर्वाचन आयोग का समाधान हो गया है कि दिसम्बर, 1977 में हुए त्रिपुरा विधान सभा के लिए साधारण निर्वाचन के लिए 23-रामचन्द्राघाट (अ० ज० ज०) निर्वाचन-क्षेत्र में चुनाव लड़ने वाले उम्मीदवार श्री मनिन्द्र चन्द्रादेव बर्मा, ग्राम उत्तर बिलातली, रामकुमार, शकुर पारा, डाक० कल्यानपुर, पश्चिम त्रिपुरा (त्रिपुरा राज्य), लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्धीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का लेखा दाखिल करने में असफल रहे हैं ;

और यतः उक्त उम्मीदवार ने, उसे सम्यक् सूचना दिए जाने पर भी, अपनी इस असफलता के लिए कोई कारण प्रस्तुत नहीं किया है और निर्वाचन आयोग का यह भी समाधान हो गया है उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है,

अतः अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री मनिन्द्र चन्द्रादेव बर्मा को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[सं० त्रिपुरा वि० सं०/23/77(6)]

ORDER

New Delhi, the 16th August, 1979

S.O. 2999.—Whereas the Election Commission is satisfied that Shri Manindra Chandra Deb Barma, Village North Ghilatali, Ramkumar Thakur para, P. O. Kalanpur, West Tripura District, Tripura State, a contesting candidate for general election to the Tripura Legislative Assembly held in December, 1977, from 23-Ramchandraghat(ST) constituency, has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder ;

And whereas the said candidate, even after due notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure ;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Manindra Chandra Deb Barma, to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. TP-LA/23/77(6)]

आदेश

नई दिल्ली, 18 अगस्त, 1979

का० प्रा० 3000.—यत्, निर्वाचन आयोग का समाधान हो गया है कि जून, 1977 में हुए उत्तर प्रदेश विधान सभा के लिए साधारण निर्वाचन के लिए 93-सफीपुर (अ०जा०) निर्वाचन क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री खैराती, मोहल्ला टिकली, सफीपुर, जिला उन्नाव (उत्तर प्रदेश) लोक प्रतिनिधित्व अधिनियम, 1951 तथा तदधीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे है ;

और यत् उक्त उम्मीदवार ने, सम्यक् सूचना दिए जाने पर भी, इस असफलता के लिए कोई कारण प्रयत्न स्पष्टीकरण नहीं दिया है और निर्वाचन आयोग का यह समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है ;

अतः अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री खैराती का संसद के किसी भी सदन के या किसी राज्य की विधान सभा प्रथवा विधान परिषद् के सदस्य चुन जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[स० उ० प्र०-वि०स०/93/77 (43)]

ORDER

New Delhi, the 18th August, 1979

S.O. 3000.—Whereas the Election Commission is satisfied that Shri Khairati, Mohalla Tikli, Safipur, District Unnau, Uttar Pradesh, a contesting candidate for general election to the Uttar Pradesh Legislative Assembly held in June, 1977 from 93-Safipur (SC) constituency, has failed to lodge an account of his election expenses at all as required by the Representation of the People Act, 1951 and the Rules made thereunder ;

And whereas the said candidate, even after due notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure ;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Khairati to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. UP-LA/93/77(43)]

आदेश

का० प्रा० 3001.—यत्, निर्वाचन आयोग का समाधान हो गया है कि जून, 1977 में हुए उत्तर प्रदेश विधान सभा के लिए साधारण निर्वाचन के 93-सफीपुर (अ०जा०) निर्वाचन क्षेत्र से चुनाव लड़ने वाले श्री सलिंग राम कुरील, ग्राम मुबारक अमी, पोस्ट सफीपुर, जिला उन्नाव (उत्तर प्रदेश) लोक प्रतिनिधित्व अधिनियम, 1951 तथा तदधीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे है ;

और यत्, उक्त उम्मीदवार ने, सम्यक् सूचना दिए जाने पर भी, इस असफलता के लिए कोई कारण प्रयत्न स्पष्टीकरण नहीं दिया है और निर्वाचन आयोग का यह समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है ;

अतः अब उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री सलिंग राम कुरील को संसद के

किसी भी सदन के या किसी राज्य की विधान सभा प्रथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[स० उ० प्र०-वि०स०/93/77 (44)]

ORDER

S.O. 3001.—Whereas the Election Commission is satisfied that Shri Salig Ram Kuril, Village Mubarak Ali, Post Safipur, District Unnau (Uttar Pradesh), a contesting candidate for general election to the Uttar Pradesh Legislative Assembly held in June, 1977 from 93-Safipur (SC) constituency, has failed to lodge an account of his election expenses at all as required by the Representation of the People Act, 1951, and the Rules made thereunder ;

And whereas the said candidate, even after due notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure ;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Salig Ram Kuril to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. UP-LA/93/77(44)]

आदेश

का० प्रा० 3002.—यत्, निर्वाचन आयोग का समाधान हो गया है कि जून, 1977 में हुए उत्तर प्रदेश विधान सभा के लिए साधारण निर्वाचन के लिए 97-पुरवा निर्वाचन क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री सरजू, मोहल्ला बेनीगंज, मोरावा, जिला उन्नाव उत्तर प्रदेश लोक प्रतिनिधित्व अधिनियम, 1951 तथा तदधीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे है ;

और यत्, उक्त उम्मीदवार ने, सम्यक् सूचना दिए जाने पर भी, इस असफलता के लिए कोई कारण प्रयत्न स्पष्टीकरण नहीं दिया है और निर्वाचन आयोग का यह समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है ;

अतः अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री सरजू का संसद के किसी भी सदन के या किसी राज्य की विधान सभा प्रथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[स० उ० प्र०-वि०स०/97/77(45)]

ORDER

S.O. 3002.—Whereas the Election Commission is satisfied that Shri Sarju, Mohalla Beniganj, Maurawa, District Unnau, Uttar Pradesh, a contesting candidate for general election to the Uttar Pradesh Legislative Assembly held in June, 1977 from 97-Purwa constituency, has failed to lodge an account of his election expenses at all as required by the Representation of the People Act, 1951, and the Rules made thereunder ;

And whereas the said candidate, even after due notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure ;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Sarju to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. UP-LA/97/77(45)]

आदेश

नई दिल्ली, 20 अगस्त, 1979

क्रा० भा० 3003.—यतः निर्वाचन आयोग का समाधान हो गया है कि जून 1977 में हुए उत्तर प्रदेश विधान सभा के लिए साधारण निर्वाचन के लिए 199-फाजिल नगर निर्वाचन क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री सरफुल ग्राम नकराहा वगदीना, पोस्ट कुवर्नाथ जिला देवरिया, उत्तर प्रदेश लोक प्रतिनिधित्व अधिनियम, 1951 तथा तदधीन बनाए गए नियमों द्वारा अपेक्षित समय के अन्दर तथा रीति से अपने निर्वाचन व्ययों का लेखा दाखिल करने में असफल रहे हैं ;

और यतः, उक्त उम्मीदवार ने, सम्यक् सूचना दिए जाने पर भी, इस असफलता के लिए एक कोई कारण प्रस्ताव स्पष्टीकरण नहीं दिया है और निर्वाचन आयोग का यह समाधान हो गया है कि उसके पास इस असफलता के लिए कोई कारण या न्यायोचित्य नहीं है ;

अतः अब, उक्त अधिनियम की धारा 10-क के अनुसरण में आयोग एतद्वारा उक्त श्री सरफुल को संसद के किसी भी सदन के या किसी राज्य की विधान सभा प्रथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस प्रदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है ।

[सं० उ० प्र०-वि० सं०/199/77 (46)]

ORDER

New Delhi, the 20th August, 1979

S.O. 3003.—Whereas the Election Commission is satisfied that Shri Sarful, Village Nakraha, Post Kuvernath, District Deoria, Uttar Pradesh, a contesting candidate for general election to the Uttar Pradesh Legislative Assembly held in June, 1977 from 199-Fazilnagar constituency, has failed to lodge an account of his election expenses within the time laid in the manner as required by the Representation of the People Act, 1951, and the Rules made thereunder ;

And whereas the said candidate, even after due notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure ;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Sarful to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. UP-LA/199/77(46)]

आदेश

नई दिल्ली, 22 अगस्त, 1979

क्रा० भा० 3004.—यतः निर्वाचन आयोग का समाधान हो गया है कि जून, 1977 में हुए उत्तर प्रदेश विधान सभा के लिए साधारण निर्वाचन के लिए 380-डिबार्डी निर्वाचन क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री जीवन मिह्र वर्मा, उदयपुर कर्षा, पोस्ट धर्मपुर, जिला बुलन्दशहर, उत्तर प्रदेश लोक प्रतिनिधित्व अधिनियम, 1951 तथा तदधीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे हैं ;

और यतः उक्त उम्मीदवार ने, सम्यक् सूचना दिए जाने पर भी, इस असफलता के लिए कोई कारण प्रस्ताव स्पष्टीकरण नहीं दिया है और निर्वाचन आयोग का यह समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है ;

अतः अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री जीवन मिह्र वर्मा को संसद के किसी भी सदन के या किसी राज्य की विधान सभा प्रथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस प्रदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है ।

[सं० उ० प्र०-वि० सं०/380/77 (47)]

ORDER

New Delhi, the 22nd August, 1979

S.O. 3004.—Whereas the Election Commission is satisfied that Shri Jiwan Singh Verma, Udiapur Kalan, Post Dharampur, District Bulandshahr, Uttar Pradesh, a contesting candidate for general election to Uttar Pradesh Legislative Assembly held in June, 1977 from 380-Debal constituency, has failed to lodge an account of his election expenses at all as required by the Representation of the People Act, 1951, and the Rules made thereunder ;

And whereas the said candidate, even after due notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure ;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Jiwan Singh Verma to be disqualified for being chosen, as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. UP-LA/380/77(47)]

आदेश

नई दिल्ली, 24 अगस्त, 1979

क्रा० भा० 3005.—यतः, निर्वाचन आयोग का समाधान हो गया है कि जून, 1977 में हुए उत्तर प्रदेश विधान सभा के लिए साधारण निर्वाचन के लिए 387-दादरी निर्वाचन क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री जय करन, ग्राम व डाकखाना दुजाना, जिला गाजियाबाद, उत्तर प्रदेश लोक प्रतिनिधित्व अधिनियम, 1951 तथा तदधीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे हैं ;

और यतः, उक्त उम्मीदवार ने, सम्यक् सूचना दिए जाने पर भी, इस असफलता के लिए कोई कारण प्रस्ताव स्पष्टीकरण नहीं दिया है और निर्वाचन आयोग का यह समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है ;

अतः अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री जय करन को संसद के किसी भी सदन के या किसी राज्य की विधान सभा प्रथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस प्रदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है ।

[सं० उ० प्र०-वि० सं०/387/77(57)]

ORDER

New Delhi, the 24th August, 1979

S.O. 3005.—Whereas the Election Commission is satisfied that Shri Jai Karan, village and Post Office Dujana, District Ghaziabad, Uttar Pradesh a contesting candidate for general election to the Uttar Pradesh Legislative Assembly held in June, 1977 from 387-Dadri constituency has failed to lodge an account of his election expenses at all as required by the Representation of the People Act, 1951, and the Rules made thereunder ;

And whereas the said candidate, even after the notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure ;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Jai Karan to be disqualified for being chosen as and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. UP-LA/387/77(57)]

नई दिल्ली, 1 मितम्बर, 1979

का. आ. 3006.—लोक प्रतिनिधित्व अधिनियम 1951 (1951 का 43) की धारा 22 की उप-धारा (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए तथा अपनी तारीख 29 जनवरी, 1977 की अधिसूचना संख्या 434/सिक्किम/77(2) को अतिष्ठित करते हुए निर्वाचन आयोग सिक्किम सरकार के परामर्श से सिक्किम सरकार के निम्नलिखित आफिसरों को सिक्किम के संसदीय निर्वाचन क्षेत्र के रिटर्निंग आफिसर को उसके कृत्यों के पालन में सहायता करने के लिए नियुक्त करना है :—

1. जिला मजिस्ट्रेट और जिला कलेक्टर, उत्तरी जिला मंगान ।
2. जिला मजिस्ट्रेट और जिला कलेक्टर, दक्षिणी जिला, नामची ।
3. जिला मजिस्ट्रेट और जिला कलेक्टर, पश्चिमी जिला, गेयजिंग ।
4. उप-जिला आफिसर और योजना आफिसर, पूर्वी जिला, गंगटोक ।
5. उप-जिला कलेक्टर सह-मजिस्ट्रेट, पूर्वी जिला, गंगटोक ।
6. जिला विकास आफिसर, दक्षिण जिला, नामची ।
7. उप-जिला कलेक्टर सह-मजिस्ट्रेट, दक्षिणी जिला, नामची ।
8. जिला विकास आफिसर, पश्चिमी जिला, गेयजिंग ।
9. जिला विकास आफिसर, उत्तरी जिला, मंगान ।

आदेश से,

[संख्या 434/सिक्किम/79(2)]

वी. नागसुब्रमण्यन, सचिव

New Delhi, the 1st September, 1979

S.O. 3006.—In exercise of the powers conferred by sub-section (1) of section 22 of the Representation of the People Act, 1951 (43 of 1951), the Election Commission, in consultation with the Government of Sikkim and in supersession of its notification No. 434/SKM/77(2) dated 29th January, 1977, hereby appoints the following officers of Government to assist the Returning Officer for the Parliamentary Constituency for Sikkim in the performance of his functions :—

1. District Magistrate and District Collector, North District, Mangan.
2. District Magistrate and District Collector, South District, Namchi.
3. District Magistrate and District Collector, West District, Geyzing.
4. Deputy District Officer and Planning Officer, East District, Gangtok.
5. Deputy District Collector-Cum-Magistrate, East District, Gangtok.
6. District Development Officer, South District, Namchi.
7. Deputy District Collector-Cum-Magistrate, South District, Namchi.
8. District Development Officer, West District, Geyzing.
9. District Development Officer, North District, Mangan.

By Order,

[No. 434/SKM/79(2)]

V. NAGASUBRAMANIAN, Secy.

आदेश

नई दिल्ली, 4 अगस्त, 1979

का० आ० 3007.—यत्, निर्वाचन आयोग का समाधान हो गया है कि जून, 1977 में हुए मध्य प्रदेश विधान सभा के लिए साधारण निर्वाचन के लिए 10-मेहगांव निर्वाचन क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री बाल कृष्ण, ग्राम रामपुरा (खेरिया बाग) पो० बरहद, तह० मेहगांव, जिला भिण्ड (मध्य प्रदेश) लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्घीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे हैं;

और यत्, उक्त उम्मीदवार ने, सम्यक सूचना दिए जाने पर भी इस असफलता के लिए कोई कारण प्रथवा स्पष्टीकरण नहीं दिया है और निर्वाचन आयोग का यह समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है;

अतः अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री बाल कृष्ण को संसद् के किसी भी सदन के या किसी राज्य की विधान सभा प्रथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है ।

[सं० म० प्र० वि० सं०/10/77]

ORDER

New Delhi, the 4th August, 1979

S.O. 3007.—Whereas the Election Commission is satisfied that Shri Bal Krishna, Village Rampura (Kheria Bag), Post Barahad, Tehsil Mehgaon, District Bhind (Madhya Pradesh) a contesting candidate for general election to the Madhya Pradesh Legislative Assembly held in June, 1977 from 10-Mehgaon constituency, has failed to lodge an account of his election expenses at all as required by the Representation of the people Act, 1951, and the Rules made thereunder;

And whereas the said candidate, even after the notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Bal Krishna to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. MP-LA/10/77]

आदेश

का०आ० 3008.—यत्, निर्वाचन आयोग का समाधान हो गया है कि जून, 1977 में हुए मध्य प्रदेश विधान सभा के लिए साधारण निर्वाचन के लिए 10-मेहगांव निर्वाचन क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री भगवान लाल, ग्राम तथा पो० सोनी, तह० मेहगांव, जिला भिण्ड (मध्य प्रदेश) लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्घीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे हैं;

और यत्, उक्त उम्मीदवार ने, सम्यक सूचना दिए जाने पर भी, इस असफलता के लिए कोई कारण प्रथवा स्पष्टीकरण नहीं दिया है और निर्वाचन आयोग का यह समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है;

अतः अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री भगवान लाल को संसद् के किसी भी सदन के या किसी राज्य की विधान सभा प्रथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है ।

आदेश से,

[सं० म० प्र० वि० सं०/10/77]

आर० डी० शर्मा, अवर सचिव

ORDER

S.O. 3008.—Whereas the Election Commission is satisfied that Shri Bhagwan Lal, Village and Post Soni, Tehsil Mehgaon, District Bhind (Madhya Pradesh), a contesting candidate for general election to the Madhya Pradesh Legislative Assembly held in June, 1977 from 10-Mehgaon constituency, has failed to lodge an account of his election expenses at all as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas the said candidate, even after the notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Bhagwan Lal to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

By order,

[No. MP-LA/10/77]

R. D. SHARMA, Under Secy.

आदेश

नई दिल्ली, 1 अगस्त, 1979

क्र० आ० 3009.—यतः, निर्वाचन आयोग का समाधान हो गया है कि फरवरी, 1978 में हुए कर्नाटक विधान सभा के लिए साधारण निर्वाचन के लिए 87-जयमहल निर्वाचन-क्षेत्र में चुनाव लड़ने वाले उम्मीदवार श्री महमद मुस्ताक, सं० 1-126, राठन सिंह लेन, फेजर टाऊन, बंगलूर (कर्नाटक), लोक प्रतिनिधित्व अधिनियम, 1951 तथा तदधीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे हैं;

और यतः, उक्त उम्मीदवार को निर्वाचनों का संचालन नियम, 1961 का नियम 89 (5) के अधीन जारी की गई सूचना वितरित नहीं की जा सकी क्योंकि उसका अता पता मालूम नहीं था और निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास अपना निर्वाचन व्ययों का लेखा दाखिल करने की इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है,

अतः अब, उक्त अधिनियम की धारा 10क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री महमद मुस्ताक को संसद के किसी भी सदन की या किसी राज्य की विधान-सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[सं० कर्ना०-वि० सं०/87/78(11)]

ORDER

New Delhi, the 1st August, 1979

S.O. 3009.—Whereas the Election Commission is satisfied that Shri Mahamad Musthak, No. 1-126, Rathansingh Lane, Frazer Town, Bangalore (Karnataka), a contesting candidate for general election to the Karnataka Legislative Assembly held in February, 78 from 87-Jayamahal assembly constituency, has failed to lodge any account of his election expenses at all as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas the notice issued to the said candidate under rule 89(5) of the Conduct of Elections Rules, 1961 could not be served on him as his whereabouts are not known and the Election Commission is further satisfied that he has no good reason or justification for his failure to lodge the account of his election expenses,

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Mahamad Musthak to be disqualified for being chosen

as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. KT-LA/87/78/(11)]

आदेश

नई दिल्ली, 3 अगस्त, 1979

क्र० आ० 3010.—यतः, निर्वाचन आयोग का समाधान हो गया है कि मार्च, 1977 में हुए लोक सभा के लिए साधारण निर्वाचन के लिए 23-डिन्डीगुल संसदीय निर्वाचन-क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री एन० श्रीनिवासन, पी० रायापालायम, ताल्लुक तिरुमंगलम, जिला मदुरई (तमिलनाडु) लोक प्रतिनिधित्व अधिनियम, 1951 तथा तदधीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे हैं;

और यतः, उक्त उम्मीदवार ने, उसे सम्यक् सूचना दिये जाने पर भी अपनी इस असफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं दिया है और निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है;

अतः अब, उक्त अधिनियम की धारा 10क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री एन० श्रीनिवासन को संसद के किसी भी सदन के या किसी राज्य की विधान-सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[सं० त० न०-वि० सं०/23/77/(8)]

ORDER

New Delhi, the 3rd August, 1979

S.O. 3010.—Whereas the Election Commission is satisfied that Shri N. Sreenivasan, Rayapalayam Post, Thirumangalam Taluk, Madurai District (Tamil Nadu), a contesting candidate for general election to the House of the People held in March, 77 from 23-Dindigul parliamentary constituency, has failed to lodge any account of his election expenses at all as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas the said candidate, even after due notices has not given any reason or explanation for the failure and the Election Commission is further satisfied that he has no good reason or justification for such failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri N. Sreenivasan to be disqualified for being chosen as, and for being a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. TN-HP/23/77(8)]

आदेश

क्र० आ० 3011.—यतः, निर्वाचन आयोग का समाधान हो गया है कि मार्च, 1977 में हुए लोक सभा के लिए साधारण निर्वाचन के लिए 14-कुण्णगिरि संसदीय निर्वाचन-क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री पूरनदारन उर्फ तमिल भ्रामु, मखीद स्ट्रीट, पी० रायाकोट्टा ताल्लुक-वेनकाडी कोट्टा, जिला धर्मपुरी (तमिलनाडु) लोक प्रतिनिधित्व अधिनियम, 1951 तथा तदधीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे हैं;

और यतः, उक्त उम्मीदवार ने, उसे सम्यक् सूचना दिये जाने पर भी, अपनी इस असफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं दिया है, और, निर्वाचन आयोग का यह भी समाधान हो गया है कि

उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है ;

अतः अध. उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री पूरनदारन उर्फ तमिल अरसु को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[सं० त० ना० लो० सं०/14/77 (7)]

ORDER

S.O. 3011.—Whereas the Election Commission is satisfied that Shri Purandaran alias Tamil Arasu, Majeet Street, Rayakotta Post, Denkanikotta Taluk, Dharmapuri District, (Tamil Nadu), a contesting candidate for general election to the House of People held in March, 77 from 14-Krishnagiri Parliamentary constituency, has failed to lodge any account of his election expenses at all as required by the Representation of the People Act, 1951, and the Rules made thereunder ;

And whereas the said candidate, even after due notices has not given any reason or explanation for the failure and the Election Commission is further satisfied that he has no good reason or justification for such failure ;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Purandaran alias Tamil Arasu to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. TN-HP/14/77(7)]

आदेश

नई दिल्ली, 6 अगस्त, 1979

का० आ० 3012.—यतः, निर्वाचन आयोग का समाधान हो गया है कि मार्च, 1977 में हुए तमिलनाडु विधान सभा के लिए साधारण निर्वाचन के लिए 6-अर्कोनम सभा निर्वाचन-क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री आर० जयचन्द्रनायडू, 145-गान्धी रोड, अर्कोनम, उत्तर अर्काट जिला (तमिलनाडु) लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्धीन बनाए गए नियमों द्वारा अपेक्षित रीति से अपने निर्वाचन व्ययों का लेखा दाखिल करने में असफल रहे हैं ;

और, उक्त उम्मीदवार द्वारा दिये गये अभ्यावेदन पर विचार करने के पश्चात्, निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है ;

अतः अध. उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री आर० जयचन्द्रनायडू को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[सं० त० ना०-लो० सं०/6/77 (9)]

ORDER

New Delhi, the 6th August, 1979

S.O. 3012.—Whereas the Election Commission is satisfied that Shri R. Jayachandra Naidu, 145, Gandhi Road, Arkonam North Arkot District (Tamil Nadu), a contesting candidate for general election to the House of the People, held in March, 1977 from 6-Arkonom parliamentary constituency has failed to lodge an account of his election expenses in the manner required by the Representation of the People Act, 1951, and the Rules made thereunder ;

And whereas, after considering the representation made by the said candidate, the Election Commission is further satisfied that he has no good reason or justification for the failure ;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri R. Jayachandra Naidu to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. TN-HP/6/77(9)]

आदेश

नई दिल्ली, 20 अगस्त, 1979

का० आ० 3013.—यतः, निर्वाचन आयोग का समाधान हो गया है कि फरवरी, 1978 में हुए आन्ध्र प्रदेश विधान सभा के लिए साधारण निर्वाचन के लिए 159-कमलापुरम सभा निर्वाचन-क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री विराम गोपाल रेड्डी, ग्राम व डाक० वेण्डुरथी, तलुक कमला-पुरम, जिला कुड्डापह (आन्ध्र प्रदेश) लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्धीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का लेखा दाखिल करने में असफल रहे हैं ;

और, यत, उक्त उम्मीदवार ने, उसे सम्पर्क सूचना दिये जाने पर भी, अपनी इस असफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं दिया है, और, निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है ;

अतः अध. उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री दिवम गोपाल रेड्डी को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[सं० आ० प्र०-वि० सं०/159/78 (45)]

बी० के० राय, अवसर सचिव

ORDER

New Delhi, the 20th August, 1979

S.O. 3013.—Whereas the Election Commission is satisfied that Shri Dyvam Gopal Reddy, Village & P.O. Veldurthy, Taluk Kamalapuram, District Cuddapah (Andhra Pradesh), a contesting candidate for general election to the Andhra Pradesh Legislative Assembly held in February, 1978 from 159-Kamalapuram assembly constituency, has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder ;

And whereas the said candidate, even after due notices, has not given any reason or explanation for the failure and the Election Commission is further satisfied that he has no good reason or justification for such failure ;

Now, therefore, in pursuance of section 10A of the said Act the Election Commission hereby declares the said Shri Dyvam Gopal Reddy to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. AP-LA/159/78(45)]

V. K. RAO, Under Secy.

गृह मंत्रालय

(कार्मिक और प्रशासनिक सुधार विभाग)

नई दिल्ली, 24 अगस्त, 1979

क्रा० आ० 3014—केन्द्रीय सरकार, राजभाषा (सब के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उप-नियम (4) के अनुसरण में, कार्मिक और प्रशासनिक सुधार विभाग (गृह मंत्रालय) के केन्द्रीय अन्वेषण ब्यूरो के कार्यालय को, जिसके कर्मचारियों ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है।

[संख्या 11012/2/78-हिन्दी]

ए० टी० गोविन्दराजन, उप सचिव

MINISTRY OF HOME AFFAIRS

(Department of Personnel and Administrative Reforms)

New Delhi, the 24th August, 1979

S.O. 3014.—In pursuance of Sub-Rule (4) of Rule 10 of the Official Languages (use for official purposes of the Union) Rules, 1976 the Central Government hereby notifies the Office of the Central Bureau of Investigation of the Department of Personnel and Administrative Reforms (Ministry of Home Affairs), the staff whereof have acquired the working knowledge of Hindi.

[No. 11012/2/78-Hindi]

A. T. GOVINDARAJAN, Dy. Secy.

वित्त मंत्रालय

(राजस्व विभाग)

नई दिल्ली, 15 जनवरी, 1979

(आय-कर)

क्रा० आ० 3015—केन्द्रीय सरकार, आय-कर अधिनियम, 1961 (1961 का 43) की धारा 80-छ की उपधारा 2 (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, "श्री नागनाथस्वामी मन्दिर, तिरुनेलवेलूरम्, कुम्भाकोणम तालुक, तानजोर जिला" को उक्त धारा के प्रयोजनों के लिए तमिलनाडु राज्य में सर्वत्र विख्यात लोक पूजा का स्थान अधिसूचित करती है।

[सं० 2663/फा० सं० 176/83/78-आ० क० (ए I)]

MINISTRY OF FINANCE

(Department of Revenue)

New Delhi, the 15th January, 1979

(INCOME-TAX)

S.O. 3015.—In exercise of the powers conferred by sub-section (2)(b) of Section 80G of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Sri Naganathaswamy Temple, Thirunageswaram, Kumbakonam Taluk, Tanjore District" to be a place of public worship of renown throughout the State of Tamil Nadu for the purposes of the said Section.

[No. 2663/F. No. 176/83/78-II(A1)]

नई दिल्ली, 31 जनवरी, 1979

(आय-कर)

क्रा० आ० 3016—केन्द्रीय सरकार, आय-कर अधिनियम, 1961 (1961 का 43) की धारा 80-छ की उपधारा 2 (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, "श्री मरुडीश्वरार मन्दिर, तिरुवनमियूर, मद्रास" को, उक्त धारा के प्रयोजनों के लिए तमिलनाडु राज्य में सर्वत्र विख्यात लोक पूजा का स्थान अधिसूचित करती है।

[सं० 2705/फा० सं० 176/3/79-आ० क० (ए I)]

New Delhi, the 31st January, 1979

(INCOME-TAX)

S.O. 3016.—In exercise of the powers conferred by sub-section (2)(b) of Section 80G of the Income-tax Act, 1961 (43 of 1961) the Central Government hereby notifies 'Sri Marundeeswarar Temple, Tiruvanmiyur, Madras' to be a place of public worship of renown throughout the State of Tamil Nadu for the purposes of the said section.

[No. 2705/F. No. 176/3/79-IT(A1)]

नई दिल्ली, 7 अप्रैल, 1979

(आय-कर)

क्रा० आ० 3017—केन्द्रीय सरकार, आय-कर अधिनियम, 1961 (1961 का 43) की धारा 80-छ की उपधारा 2 (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, "तिरुवेकटाचलपथी क्षेत्र समिति, तिरुवेकटम, गुरुवयूर" को उक्त धारा के प्रयोजनों के लिए केरल राज्य में सर्वत्र विख्यात लोक पूजा का स्थान अधिसूचित करती है।

[सं० 2760/फा० सं० 176/25/79-आ० क० (ए I)]

जे० पी० शर्मा, निदेशक

New Delhi, the 7th April, 1979

INCOME-TAX

S.O. 3017.—In exercise of the powers conferred by sub-section (2)(b) of Section 80G of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Thiruvengkatachalapathy Kshetra Samithi, Thiruvankatam, Guruvayur" to be a place of public worship of renown throughout the State of Kerala for the purpose of the said Section.

[No. 2760/F. No. 176/25/79-IT(A1)]

J. P. SHARMA, Director

नई दिल्ली, 25 जुलाई, 1979

(आय-कर)

क्रा० आ० 3018—आयकर अधिनियम, 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उपखण्ड (iii) के अनुसरण में केन्द्रीय सरकार एतद्वारा श्री बी० बी० सोलंकी को, जो केन्द्रीय सरकार के राजपत्रित अधिकारी हैं, उक्त अधिनियम के अन्तर्गत कर वसूली अधिकारी की शक्तियों का प्रयोग करने के लिये प्राधिकृत करती है।

2. यह अधिसूचना श्री बी० बी० सोलंकी द्वारा कर वसूली अधिकारी के रूप में कार्यभार ग्रहण किये जाने की तारीख से लागू होगी।

[सं० 2949/फा० 404/14/(क० व० प्र०-राजकोट)/79-आ० क० सं० क०]

New Delhi, the 25th July, 1979

(INCOME-TAX)

S.O. 3018.—In pursuance of sub-clause (iii) of clause (44) of Section 2 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby authorises Shri B. B. Solanki being a gazetted Officer of the Central Government, to exercise the powers of a Tax Recovery Officer under the said Act.

2 This Notification shall come into force with effect from the date Shri B. B. Solanki takes over charge as Tax Recovery Officer.

[No. 2949/F. No. 404/14/(Tro-Rajkot)/79-ITCC]

नई दिल्ली, 3 अगस्त, 1979

(आय-कर)

क्रा० आ० 3019—आयकर अधिनियम 1961 (1961 का 43) की धारा 2 के खण्ड (41) के उपखण्ड (iii) के अनुसरण में केन्द्रीय सरकार एतद्वारा श्री राजस्व विभाग (राजस्व पक्ष) की 12 अगस्त, 1976 की अधिसूचना सं० 1436 (फा० सं० 404/73/76 आ० क० सं० क०) में निम्नलिखित संशोधन करती है,

अर्थात् उक्त अधिसूचना में "श्री आर० एन० दास तथा श्री निखिलेन्द्र कुमार साह" शब्दों और अक्षरों के स्थान पर "श्री निखिलेन्द्र कुमार साह" शब्द और अक्षर प्रतिस्थापित किये जायें।

[स० 2961/फा० सं० 404/22 (क० ब० प्र०—प० बंगाल)/79—
आ० क० ग० क०]

New Delhi, the 3rd August, 1979

INCOME-TAX

S.O. 3019.—In pursuance of sub-clause (iii) of clause (44) of Section 2 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby makes the following amendment in the notification of the Government of India in the Department of Revenue and Bahkir (Revenue Wing) Notification No. 1436 (F. No. 404/73/76-ITCC) dated 12-8-76 viz in the said Notification for the words and letter S/Shri R N Das and Nikhileन्द्र Kumar Saha" the word and letters "Shri Nikhileन्द्र Kumar Saha" shall be substituted [No 2961/F No 404/22 (TRO-WB)/79-ITCC]

आयकर

का०आ० 3020.—आयकर अधिनियम 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उपखण्ड (iii) के अनुमरण में केन्द्रीय सरकार एनवूद्वारा श्री क० मर्डी का, जो केन्द्रीय सरकार के राजपत्रित अधिकारी है, उक्त अधिनियम के अन्तर्गत कर वसूली अधिकारी की शक्तियों का प्रयोग करने के लिये प्राधिकृत करती है।

2 यह अधिसूचना श्री क० मर्डी द्वारा कर वसूली अधिकारी के रूप में कार्यभार ग्रहण करने की तारीख से लागू होगी।

[स० 2959 (फा० सं० 404/22 (क० ब० प्र० प० बंगाल)/79—
आ० क० म० क०]

एच० वेण्कटरामन्, उप सचिव

(INCOME-TAX)

S.O. 3020.—In pursuance of sub-clause (iii) of clause (44) of Section 2 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby authorises Shri K. Mardy being a Gazetted Officer of the Central Government, to exercise the powers of a Tax Recovery Officer under the said Act.

2. This Notification shall come into force with effect from the date Shri K. Mardy takes over charge as Tax Recovery Officer.

[No 2959/F. No. 404/22(TRO-WB)/79-ITCC]

H VENKATARAMAN, Dy. Secy.

नई दिल्ली, 13 जुलाई, 1979

आयकर

का०आ० 3021.—सर्वसाधारण की जानकारी के लिए अधिसूचित किया जाता है कि निम्नलिखित वैज्ञानिक अनुसंधान कार्यक्रम को सचिव, विज्ञान और प्रौद्योगिकी विभाग, नई दिल्ली ने आयकर नियम, 1962 के नियम 6(iv) के साथ पठित आयकर अधिनियम, 1961 की धारा 35 की उपधारा (2-क) के प्रयोजनों के लिए नोबे विनिश्चित अवधि के लिए अनुमोदित किया है —

वैज्ञानिक अनुसंधान कार्यक्रम का रेड्डी का तेल प्रेस्टाग्लेण्डिन मार्कोलाइड नाम

इन्सैट सेकम फेरोमोन के लिए एक पोलिटिक आत और उपयोगी मिश्रण।

आयोजनकर्ता का नाम मैमर्मे हिम्बुल्न लॉवर विमिटेड, मुम्बई।

आयोजक आई० आई० टी०, कानपुर

प्रारम्भ की प्रस्तावित तारीख 1-7-1979

पूर्ण होने की तारीख 30-6-1981

अनुमानित लागत 1,37,000 रु०

भारतीय प्रौद्योगिकी संस्थान, कानपुर का जहाँ कार्यक्रम आयोजित किया गया है, आयकर अधिनियम, 1922 की धारा 10(2)(xiii) के अधीन वित्त नग्राय की अधिसूचना सं० 266 तारीख 31-1-1961 के अनुसार अनुमोदित किया गया है।

[स० 2930/फा० सं० 203/84/79 आ० क० प्र० II]

New Delhi, the 18th July, 1979

INCOME TAX

S.O. 3021.—It is hereby notified for general information that the following scientific research programme has been approved for the period specified below for the purposes of sub-section (2A) of Section 35 of the Income-tax Act, 1961 read with Rule 6(iv) of the Income-tax Rules, 1962 by the Secretary, Department of Science & Technology, New Delhi.

Name of the scientific research programme	Castor Oil A rich source for prestaglandins macrolides insect sex pheromones and useful synthens
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Name of the Sponsor	M/s Hindustan Lever Ltd , Bombay
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To be undertaken by	I I T , Kanpur
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Proposed date of commencement	1-7-1979
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Date of Completion	30-6-1981
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Estimated Cost	Rs. 1,37,000/-
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2 The Indian Institute of Technology, Kanpur where the above programme has been sponsored has been approved under section 10(2)(xiii) of the Income-tax Act, 1922 vide Ministry of Finance Notification No 266 dated 31-1-1961

[No 2930/F No 203/84/79-ITA II]

नई दिल्ली, 16 जुलाई, 1979

आयकर

का०आ० 3022.—इस विभाग की अधिसूचना सं० 1176 (फा० सं० 203/177/75—आई टी ए II), तारीख 27-12-1976 के क्रम में, सर्वसाधारण की जानकारी के लिए अधिसूचित किया जाता है कि विज्ञान प्राधिकारी, अर्थात्, भारतीय चिकित्सा अनुसंधान परिषद्, नई दिल्ली, ने निम्नलिखित सस्था को, आयकर नियम, 1962 में नियम 6(ii) के साथ पठित, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के प्रयोजनों के लिए चिकित्सा अनुसंधान के क्षेत्र में "वैज्ञानिक अनुसंधान सस्था" प्रवर्ग के अधीन निम्नलिखित जनों पर अनुमोदित किया है, अर्थात् —

(i) यह कि सस्था, चिकित्सा अनुसंधान के क्षेत्र में वैज्ञानिक अनुसंधान के लिए प्राप्त राशियों का पक्ष हिमाज रखेगी।

(ii) यह कि सस्था, प्रत्येक वित्तीय वर्ष के लिए अपने वैज्ञानिक अनुसंधान सम्बन्धी क्रियाकलापों की एक वार्षिक विवरण परिषद् का प्रतिवर्ष 31 मई तक ऐसे प्रकृषा में भेजेगी जो इन प्रयोजनों के लिए अधिकतम किए जाएं और उमें सूचित किए जाएं।

सस्था

मासुशायिक स्वास्थ्य अनुसंधान प्रतिष्ठान, मुम्बई।

यह अधिसूचना 27-12-1977 से 26-12-1980 तक की तीन वर्ष की अवधि के लिए प्रभावी होगी।

[स० 2932/फा० सं० 203/92/79—आई टी ए II]

INCOME TAX

S.O. 3022.—In continuation of this Department's Notification No 1176 (F No. 203/177/75-ITA-II) dated 27-12-1973, it is hereby notified for general information that the institution mentioned below has been approved by Indian Council of Medical Research, New Delhi the prescribed authority for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 read with Rule 6(ii) of the

Income-tax Rules, 1962 under the category of "Scientific Research Association" in the field of Medical Research, subject to the following conditions :—

- (1) That the institution will maintain a separate account of the sums received by it for scientific research in the field of medical research.
- (2) That the institution will furnish annual returns of its scientific research activities to the Council for each financial year by 31st May each year at the latest in such form as may be laid down and intimated to them for this purpose.

INSTITUTION

THE FOUNDATION FOR RESEARCH IN COMMUNITY HEALTH, BOMBAY.

This notification is effective for a period of 3 years from 27-12-1977 to 26-12-1980.

[No. 2932/F. No. 203/92/79-ITA. II]

आयकर

कां०सां० 3023—सर्वसाधारण की जानकारी के लिए यह अधिसूचित किया जाता है कि विहित प्राधिकारी, अर्थात् राशियाँ, विज्ञान और प्रौद्योगिकी विभाग, नई दिल्ली ने निम्नलिखित संस्था को, आयकर नियम, 1962 के नियम 6(iv) के साथ पठित, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के प्रयोजनों के लिए अन्य प्राकृतिक या अनुप्रयुक्त विज्ञान के क्षेत्र में "संस्था" अवर्ग के अर्धीन निम्नलिखित शर्तों पर अनुमोदित किया है, अर्थात्:—

- (i) यह कि पेट्रोलियम संरक्षण अनुसंधान संस्था, नई दिल्ली, प्राकृतिक या अनुप्रयुक्त (कृषि/पशुपालन/मात्स्यिकी और औषधि से निम्न) विज्ञान के क्षेत्र में वैज्ञानिक अनुसंधान के लिए प्राप्त राशियाँ का पृथक हिसाब रखेगा।
- (ii) यह कि उक्त प्रतिष्ठान, प्रत्येक वित्तीय वर्ष के लिए अपने वैज्ञानिक अनुसंधान सम्बन्धी क्रियाकलापों का एक वार्षिक विवरणी विहित प्राधिकारी को प्रति वर्ष 30 अप्रैल तक ऐसे प्रारूपों में भेजेगा जो इस प्रयोजन के लिए अधिकृत किए जाएं और उसे सूचित किए जाएं।

संस्था

पेट्रोलियम संरक्षण अनुसंधान संस्था, नई दिल्ली

यह अधिसूचना 18-1-1979 से 17-1-1982 तक की तीन वर्ष की अवधि के लिए प्रभावी होगी।

[सं० 2935/कां० सं० 203/12/79—आई टी ए II]

INCOME TAX

S.O. 3023.—It is hereby notified for general information that the institution mentioned below has been approved by the Secretary, the Department of Science and Technology, New Delhi, the prescribed authority for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 read with Rule 6(iv) of the Income-tax Rules, 1962 under the category 'Association' in the area of other natural or applied science, subject to the following conditions :—

- (i) that the Petroleum Conservation Research Association, New Delhi, will maintain a separate account of the sums received by it for scientific research in the field of natural or applied sciences (other than agriculture/animal husbandry/fisheries & medicines);
- (ii) That the said Foundation will furnish the annual return of its Scientific Research Activities to the prescribed authority for every financial year in such forms as may be laid down and intimated to them for this purpose, by 30th April, each year.

INSTITUTION

PETROLEUM CONSERVATION RESEARCH ASSOCIATION, NEW DELHI.

This notification is effective for a period of three years from 18-1-1979 to 17-1-1982.

[No. 2935/F. No. 203/12/79-ITA. II]

आयकर

कां०सां० 3024—सर्वसाधारण की जानकारी के लिए यह अधिसूचित किया जाता है कि निम्नलिखित संस्था का, विहित प्राधिकारी, भारतीय कृषि अनुसंधान परिषद् ने आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के प्रयोजनों के लिए अनुमोदित किया है।

संस्था

भारतीय कृषि विश्वविद्यालय संस्था नई दिल्ली

यह अधिसूचना तारीख 1-4-79 से 31-3-1981 तक की 2 वर्ष की अवधि के लिए प्रभावी होगी।

[सं० 2936/कां० सं० 203/50/79—आई टी ए II]

INCOME TAX

S.O. 3024.—It is hereby notified for general information that the institution mentioned below has been approved by the Indian Council of Agricultural Research, the prescribed authority for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961.

INSTITUTION

INDIAN AGRICULTURAL UNIVERSITIES ASSOCIATION, NEW DELHI.

This notification is effective for a period of 2 years from 1-4-79 to 31-3-1981.

[No. 2936/F. No. 203/50/79-ITA. II]

आयकर

कां०सां० 3025—सर्वसाधारण की जानकारी के लिए यह अधिसूचित किया जाता है कि विहित प्राधिकारी, अर्थात् सचिव, विज्ञान और प्रौद्योगिकी विभाग, नई दिल्ली ने निम्नलिखित संस्था को आयकर नियम, 1962 के नियम 6(iv) के साथ पठित, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के प्रयोजनों के लिए अन्य प्राकृतिक या अनुप्रयुक्त विज्ञान के क्षेत्र में "संस्था" अवर्ग के अर्धीन निम्नलिखित शर्तों पर अनुमोदित किया है, अर्थात्:—

- (i) यह कि इण्डियन रजिस्टर ऑफ शिपिंग, मुम्बई, प्राकृतिक या अनुप्रयुक्त (कृषि/पशुपालन/मात्स्यिकी और औषधि से निम्न) विज्ञान के क्षेत्र में वैज्ञानिक अनुसंधान के लिए प्राप्त राशियाँ का पृथक हिसाब रखेगा।
- (ii) यह कि इण्डियन रजिस्टर ऑफ शिपिंग, प्रत्येक वित्तीय वर्ष के लिए अपने वैज्ञानिक अनुसंधान सम्बन्धी क्रियाकलापों का एक वार्षिक विवरणी विहित प्राधिकारी को प्रतिवर्ष 30 अप्रैल तक ऐसे प्रारूपों में प्रस्तुत करेगा जो इस प्रयोजन के लिए अधिकृत किए जाएं और उसे सूचित किए जाएं।

संस्था

इण्डियन रजिस्टर ऑफ शिपिंग, मुम्बई

यह अधिसूचना 1-4-79 से 31-3-1982 तक की 3 वर्ष की अवधि के लिए प्रभावी होगी।

[सं० 2937/कां० सं० 203/44/79—आई टी ए II]

हरि नारायण, अवर सचिव

INCOME TAX

S.O. 3025.—It is hereby notified for general information that the institution mentioned below has been approved by the Secretary, the Department of Science and Technology, New Delhi, the prescribed authority for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 read with Rule 6(iv) of the Income Tax Rules, 1962 under the category "Institution" in the area of other natural or applied sciences, subject to the following conditions :—

(i) that the Indian Register of Shipping, Bombay will maintain a separate account of the sums received by it for scientific research in the field of natural applied sciences (other than agriculture/animal husbandry/fisheries and medicines).

(ii) That the Indian Register of Shipping will furnish the annual return of its Scientific Research Activities to the prescribed authority for every financial year in such forms as may be laid down and intimated to them for this purpose, by 30th April, each year

INSTITUTION

Indian Register of Shipping, Bombay.

This notification is effective for a period of 3 years from 1-4-79 to 31-3-1982.

[No 2937/F. No. 203/44/79-ITA.II]

HARI NARAIN, Under Secy.

प्रावेश

नई दिल्ली, 3 सितम्बर, 1979

स्टाम्प

का०प्रा० 3026.—भारतीय स्टाम्प अधिनियम, 1899 (1899 का 2) की धारा 9 की उप-धारा (1) के खण्ड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उस शुल्क को माफ करती है जो इन्डस्ट्रियल क्रेडिट एण्ड इन्वेस्टमेंट कॉर्पोरेशन आफ इण्डिया लिमिटेड द्वारा समय-समय पर प्रामिसरी नोटों के रूप में जारी किए जाने वाले बन्ध पत्रों पर, उक्त अधिनियम के अन्तर्गत प्रभावी है।

[सं० 27/79-स्टाम्प—फा०सं० 33/27/79-वि०क०]

ORDER

New Delhi, the 3rd September, 1979

STAMPS

S.O. 3026.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby remits the duty chargeable under the said Act in respect of bonds in the form of promissory notes to be issued from time to time by the Industrial Credit and Investment Corporation of India Limited.

[No. 27/79-Stamps—F. No. 33/27/79-ST]

प्रावेश

स्टाम्प

का०प्रा० 3027.—भारतीय स्टाम्प अधिनियम, 1899 (1899 का 2) की धारा 9 की उप-धारा (1) के खण्ड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा उस शुल्क को माफ करती है जो तामिलनाडु इलेक्ट्रिसिटी बोर्ड द्वारा विमम्बर, 1978 में जारी तामिलनाडु बोर्ड एण्ड, 1988 (दूसरी श्रृंखला) के लिए जारी किए जाने वाले सख्त करीड़ नैलीस लाख रुपये मूल्य के प्रामिसरी नोटों पर उक्त अधिनियम के अन्तर्गत प्रभावी है।

[सं० 26/79-स्टाम्प—फा०सं० 33/39/79-वि०क०]

एस० डी० रामस्वामी, अवर सचिव

ORDER

STAMPS

S.O. 3027.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act,

1899 (2 of 1899), the Central Government hereby remits the duty with which the promissory notes to the value of seventeen crores and thirty three lakhs of rupees, to be issued by the Tamil Nadu Electricity Board, against Tamil Nadu Electricity Board Loan, 1988 (2nd series) floated in December, 1978, are chargeable under the said Act.

[No. 26/79-Stamps—F. No. 33/39/79-ST]

S. D. RAMASWAMY, Under Secy.

(आर्थिक कार्य विभाग)

बैंकिंग प्रभाग

नई दिल्ली, 21 अगस्त, 1979

का०प्रा० 3028.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सिफारिश पर एतद्वारा घोषणा करती है कि उक्त अधिनियम की धारा 19 की उपधारा (2) के उपबन्ध, एक और वर्ष की अवधि अर्थात् 17 अप्रैल, 1980 तक मर्कैण्टाइल बैंक लिमिटेड पर उस सीमा तक लागू नहीं होंगे जहां तक इसका सम्बन्ध हैमर्कैण्टाइल बैंक लिमिटेड की 100 रुपये के 20,181 शेयरों की गिरवीदार (प्लेजी) के रूप में धारिता से है।

[सं० 15(7)-बी०ओ० III/79]

(Department of Economic Affairs)

(Banking Division)

New Delhi, the 21st August, 1979

S.O. 3028.—In exercise of the powers conferred by section 53 of the Banking Regulation Act, 1949 (10 of 1949) the Central Government on the recommendation of the Reserve Bank of India hereby declares that the provisions of sub-section (2) of section 19 of the said Act shall not apply to the Mercantile Bank Ltd., for a further period of 1 year i.e. upto 17th April 1980 in respect of its holding 20181 shares of Rs. 100 each in M/s. Pearl Cycle Industries Ltd., as pledgee.

[No. 15(7)-B.O. III/79]

का०प्रा० 3029.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सिफारिश पर एतद्वारा घोषणा करती है कि उक्त अधिनियम की धारा 19 की उपधारा (2) के उपबन्ध, एक और वर्ष की अवधि के लिए अर्थात् 30 मई, 1980 तक के लिए, यूनाइटेड बैंक आफ इण्डिया, कलकत्ता पर उस सीमा तक लागू नहीं होंगे जहां तक उनका सम्बन्ध पीपल्स इंजीनियरिंग एण्ड मोटर वर्क्स लिमिटेड के शेयरों की गिरवीदार (प्लेजी) के रूप में धारिता से है।

[संख्या 15(15)-बी०ओ० III/79]

S.O. 3029.—In exercise of the powers conferred by section 53 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of sub-section (2) of section 19 of the said Act shall not apply to the United Bank of India, Calcutta for a further period of 1 year i.e. upto 30th May 1980 in respect of the shares of the Peoples' Engineering and Motor Works Ltd., held by it, as pledgee.

[No. 15(15)-B.O. III/79]

का०प्रा० 3030.—बैंककारी विनियमन अधिनियम 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा भारतीय रिजर्व बैंक की सिफारिश पर घोषणा करती है कि उक्त अधिनियम की धारा 10 की उपधारा (1) के खण्ड (ग) के उपखण्ड (1) के उपबन्ध, सिण्डीकेट बैंक, मनीपाल पर 6 जून, 1980

तक उस सीमा तक लागू नहीं होंगे जहां तक इनका सम्बन्ध इसी बैंक के अध्यक्ष एवं मुख्य कार्यकारी अधिकारी के कर्ताव्य स्माल इंडस्ट्रीज डेवलपमेंट कॉर्पोरेशन लिमिटेड, बंगलोर, का निदेशक बनने पर इस लिये प्रतिबन्ध लगाने है कि यह कम्पनी अधिनियम 1956 (1956 का 1) के अधिन एक पञ्जीकृत फर्म है।

[संख्या 15 (23)-बी०बी०-III/79]

एन०डी०बत्रा, प्रवर सचिव

S.O. 3030.—In exercise of the powers conferred by section 53 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government on the recommendation of the Reserve Bank of India, hereby declares that the provisions of sub-clause (i) of clause (c) of sub-section (1) of section 10 of the said Act shall not apply to the Syndicate Bank, Manipal upto 6th June, 1980 in so far as the said provisions prohibit its Chairman and Chief Executive Officer from being a director of the Karnataka Small Industries Development Corporation Ltd., Bangalore, being a company registered under the Companies Act, 1956 (1 of 1956).

[No. 15(23)-B.O. III/79]

N. D. BATRA, Under Secy.

सूचि पत्र

नई दिल्ली, 22 अगस्त, 1979

का०ब्रा० 3031.—17 फरवरी, 1979 को एस०ओ० 588 के अंतर्गत भारत के राजपत्र के भाग II, खंड 3 के उपखंड (ii) में प्रकाशित, दिनांक 7 फरवरी, 1979 की विल मंतालय, आर्थिक कार्य विभाग (बैंकिंग प्रभाग) की अधिसूचना संख्या 8-4/79 ए० सी० में शब्द 'प्रकाशित' के स्थान पर 'प्रकाशित' शब्द प्रतिस्थापित समझा जाये।

[संख्या 8-4-79-ए०सी०]

यशवंत राज, प्रवर सचिव

नई दिल्ली, 24 अगस्त, 1979

का० ब्रा० 3032.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए तथा 25 जून, 1979 को इस विभाग की समसंख्यक अधिसूचना का अधि क्रमण करते हुए, केन्द्रीय सरकार एतद्वारा सर्वश्री पी० नायक तथा एम० प्रार० होता को नीचे लिखी अवधि के लिए कोरापुट पंचवटी ग्राम्य बैंक, जेपुर के अध्यक्ष के रूप में नियुक्त करती है :—

श्री पी० नायक . 1 जुलाई, 1979 से 24 जुलाई, 1979 तक
श्री एम० प्रार० होता . 25 जुलाई, 1979 से 30 जून 1982 तक

[सं० एफ० 3-1/79 प्रार० प्रार० बी०]

New Delhi, the 24th August, 1979

S.O. 3032.—In exercise of the powers conferred by sub-section (1) of section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), and in supersession of this Department's Notification of even number dated the 25th June, 1979, the Central Government hereby appoints S/Shri P. Nayak and M. R. Hota as the Chairmen of Koraput Panchabati Gramya Bank, Jeypore for the periods mentioned against each :—

Shri P. Nayak.—from 1st July, 1979 to 24th July, 1979
Shri M. R. Hota.—from 25th July, 1979 to 30th June, 1982

[No. F. 3-1/79-RRB]

का०ब्रा० 3033.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार, एतद्वारा श्री तरमिह मिश्र को श्री पी०के०

जैन के स्थान पर भोजपुर रोहतास ग्रामीण बैंक, प्रारा, का अध्यक्ष नियुक्त करता है तथा 25 अगस्त, 1979 से प्रारम्भ होकर 31 विमम्बर, 1979 को समाप्त होने वाली अवधि को उस अवधि के रूप में निर्धारित करती है जिसके दौरान श्री तरमिह मिश्र अध्यक्ष के रूप में कार्य करेंगे।

[संख्या एफ० 3-1/79-प्रार०-प्रार० बी०]

दिनेश चन्द्र, निदेशक

S.O. 3033.—In exercise of the powers conferred by sub-section (1) of section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby appoints Shri Narsingh Mishra as the Chairman of the Bhojpur Rohtas Gramin Bank, Aruh vice Shri P. K. Jain and specifies the period commencing on the 25th August, 1979 and ending with the 31st December, 1979 as the period for which the said Shri Narsingh Mishra shall hold office as such Chairman

[No. F. 3-1/79-RRB]

DINESH CHANDRA, Director

केन्द्रीय उत्पाद शुल्क समाहर्तालय

चन्दीगढ़, 17 अगस्त, 1979

केन्द्रीय उत्पाद शुल्क

का०ब्रा० 3034.—केन्द्रीय उत्पाद शुल्क नियमावली, 1944 के नियम 5 के अन्तर्गत प्रदत्त शक्तियों का प्रयोग करते हुए मैं, के०के० द्विवेदी, समाहर्ता केन्द्रीय उत्पाद शुल्क समाहर्तालय चन्दीगढ़, इस समाहर्तालय के विभिन्न केन्द्रीय उत्पाद शुल्क मण्डलों के सहायक समाहर्ताओं को एतद्वारा प्राधिकृत करता हूँ कि वे केन्द्रीय उत्पाद शुल्क नियमावली, 1944 के नियम 13 के अन्तर्गत समाहर्ता में विहित "समाहर्ता" का शक्तियों का प्रयोग अपने अपने अधिकारक्षेत्र में करें और व्यापारी निर्यातकर्ताओं को माल के निर्यात करने की अनुमति दे किन्तु यह इस शर्त के अध्याधीन है कि जब एक व्यापारी निर्यातकर्ता इस समाहर्तालय के विभिन्न मण्डलों में स्थित फैक्टरियों से माल निर्यात करना चाहता है तो उक्त अनुमति केवल समाहर्ता द्वारा ही दी जाएगी। उक्त नियमावली के नियम 13 के अन्तर्गत इस समाहर्तालय के दिनांक 24-12-71 का अधिसूचना संख्या 5-के०उ०/71 की कम संख्या 5 के द्वारा प्रत्यायोजित शक्तियाँ इस सीमा तक भी सीमित हैं।

[अधिसूचना सं० 1/के० 30/चन्दी०/79—सी० संख्या—iv (16) 6/नक/73]

कमला कान्त द्विवेदी, समाहर्ता

CENTRAL EXCISE COLLECTORATE

Chandigarh, 17 August, 1979

CENTRAL EXCISES

S.O. 3034.—In exercise of the powers conferred upon me under Rule 5 of the Central Excise Rules, 1944, I, K.K. Dwivedi Collector of Central Excise Collectorate, Chandigarh hereby authorise Asstt. Collectors of Central Excise of the respective Divisions of this Collectorate to exercise, within their respective jurisdiction, the powers of "Collector" vested in him under Rule 13 of the Central Excise Rules, 1944 to grant permission to merchant-exporters to export the goods subject to the conditions that when a merchant-exporter wants to export goods from factories located in different Divisions of this Collectorate, the said permission will be granted by the Collector only. The power under Rule 13 of the said Rules delegated at Serial No. 5 of this Collectorate Notification No. 5-CE/71 dated 24-12-71 is restricted to this extent.

Notification No. 1/CE/CHD/79—C. No. IV (16)6-Tech.73.]

K. K. DWIVEDI, Collector

केन्द्रीय प्रत्यक्ष कर बोर्ड

1

3

नई दिल्ली, 11 जनवरी, 1979

आय-कर

का०आ० 3035.—केन्द्रीय प्रत्यक्ष कर बोर्ड, आयकर अधिनियम, 1961 (1961 का 43) की धारा 121 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए समय-समय पर यथा संशोधित अधिसूचना सं० 679 (फा० सं० 187/2/74-आ०क० (ए-1), तारीख 20 जुलाई, 1974 से सनम्न अनुसूची में निम्नलिखित संशोधन करता है।

क्रम सं० 13 और 13क के समाने स्तम्भ (1), (2) और (3) के अन्तर्गत विद्यमान प्रविष्टियों के स्थान पर निम्नलिखित रखा जाएगा:—

आयकर आयुक्त	मुख्यालय	अधिकारिता
(1)	(2)	(3)
13 केरल-I	एर्नाकुलम	1. आयकर और सम्पदा शुल्क सफिल, एर्नाकुलम। 2. आयकर और सम्पदा शुल्क सफिल, त्रिचुर। 3. कम्पनी सफिल, एर्नाकुलम 4. आयकर सफिल, एर्नाकुलम 5. आयकर सफिल, अलेप्पी 6. आयकर सफिल, क्विलोन 7. आयकर सफिल, त्रिवन्द्रम 8. आयकर सफिल, त्रिवेन्द्रम 9. वेतन सफिल, त्रिवेन्द्रम 10. सर्वेक्षण सफिल, एर्नाकुलम
13क केरल-II		1. वेतन सफिल, एर्नाकुलम 2. आयकर सफिल, अलवई 3. आयकर सफिल-1, कार्लकट 4. आयकर सफिल-II, कार्लकट 5. आयकर सफिल, कन्नानोर 6. आयकर सफिल, कोट्टायम 7. आयकर सफिल, मट्टन्चेरी 8. आयकर सफिल, पालघाट 9. आयकर सफिल, त्रिचुर 10. विशेष सफिल, एर्नाकुलम

[2654(फा०सं० 187/26/78-आ०क०(II)]

जे० पी० शर्मा, निदेशक

CENTRAL BOARD OF DIRECT TAXES

New Delhi, the 11th January, 1979

INCOME-TAX

S. O. 3035.—In exercise of the powers conferred by sub-section (1) of section 121 of the Income-tax Act, 1961 (43 of 1961), the Central Board of Direct Taxes hereby makes the following amendments to the schedule appended to its Notification No. 679 (F. No. 187/2/74-IT (AI) dated 20th July, 1974 as amended from time to time.

Existing entries under Columns (1), (2) and (3) against Sl. Nos. 13 and 13A shall be substituted by the following:—

Commissioner of Income-tax	Headquarters	Jurisdiction
(1)	(2)	(3)
13 Kerala-I	Ernakulam	1. Income-tax-cum-Estate Duty Circle, Ernakulam. 2. Income-tax-cum-Estate Duty Circle, Trichur.

13A Kerala-II Ernakulam

3. Companies Circle, Ernakulam.
4. Income-tax Circle, Ernakulam.
5. Income-tax Circle, Alleppy.
6. Income-tax Circle, Quilon.
7. Income-tax Circle, Tiruvalla.
8. Income-tax Circle, Trivandrum.
9. Salary Circle, Trivandrum.
10. Survey Circle, Ernakulam.

1. Salary Circle, Ernakulam.
2. Income-tax Circle, Alwaye.
3. Income-tax Circle-I, Calicut.
4. Income-tax Circle-II, Calicut.
5. Income-tax Circle, Cannanore.
6. Income-tax Circle, Kottayam.
7. Income-tax Circle, Mattancherry.
8. Income-tax Circle, Palghat.
9. Income-tax Circle, Trichur.
10. Special Circle, Ernakulam.

[No. 2654 (F. No. 187/26/78-IT (AI)]

J.P. Sharma, Director

आय-कर

का० आ० 3036.—केन्द्रीय प्रत्यक्ष कर बोर्ड, आय-कर अधिनियम, 1961 (1961 का 43) की धारा 121 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और समय-समय पर यथा संशोधित अधिसूचना सं० 2663 फ सं 261/19/78-आई टी जे, तारीख 10-1-79 का आंशिक उपान्तरण करते हुए, यह निदेश देता है कि नीचे अनुसूची के स्तम्भ (1) में विनिर्दिष्ट प्रभारों वाले आय-कर आयुक्त (अपील) उनके स्तम्भ (2) और स्तम्भ (3) में तत्सम्बन्धी प्रविष्टियों में विनिर्दिष्ट आय-कर बाइंग सफिलों, जिलों और रेंजों में ऐसे सभी व्यक्तियों की बाबत, जिन पर आयकर या आयकर या व्याज-कर निर्धारित किया गया है और आयकर अधिनियम, 1961 की धारा 246 की उपधारा (2) के खण्ड (क) से (ज) तक, कम्पनी (आम) अन्तर्गत अधिनियम, 1964 (1964 का 7) की धारा 11 की उपधारा (1) और व्याज-कर अधिनियम, 1974 (1974 का 45) की धारा 15 की उपधारा (1) में वर्णित किसी आदेश से व्यधित हैं तथा ऐसे व्यक्तियों या व्यक्ति वर्ग की बाबत भी, जिन्हें बोर्ड ने आय-कर अधिनियम 1961 की धारा 246 की उपधारा (2) के खण्ड (1) के उपबन्धों के अनुसार निदेश दिया है या भविष्य में निदेश दे, अपने कृत्यों का पालन करेंगे।

अनुसूची

मुख्यालय सहित भारसाधन	आय-कर बाइंग और सफिल	सहायक आय-कर आयुक्त (निरीक्षण) के रेंज
1	2	3
1. आयुक्त (अपील)-I, हैदराबाद	1. सफिल-1, हैदराबाद 2. खम्मम सफिल 3. वेतन सफिल, हैदराबाद 4. विशेष सफिल-1, हैदराबाद 5. विशेष सफिल-II, हैदराबाद	1. सहायक आय-कर आयुक्त (निरीक्षण) रेंज-1, हैदराबाद (जहाँ तक सफिल-1 हैदराबाद का संबंध है) 2. सहायक आय-कर आयुक्त (निरीक्षण) रेंज-III, हैदराबाद (जहाँ तक खम्मम सफिल का संबंध है)

1	2	3
6. विशेष सफिल-III, हैदराबाद	3. सहायक आय-कर आयुक्त (निरीक्षण) रेंज-IV हैदराबाद	
7 विशेष सफिल (पुराना) हैदराबाद	4 सहायक आय-कर आयुक्त (निरीक्षण) रेंज-V, हैदराबाद (जहाँ तक विशेष सफिल-II, हैदराबाद, परियोजना सफिल, हैदराबाद और नलगोन्डा सफिल, गुंटूर का संबंध है)	
8. अदोनी सफिल	5 सहायक आय-कर आयुक्त (निरीक्षण), अनन्तपुर (जहाँ तक लबोनी सफिल का संबंध है)	
9. केन्द्रीय सफिल, हैदराबाद (पुराना)		
10. परियोजना सफिल, हैदराबाद		
11 नलगोन्डा सफिल		
12. कम्पनी सफिल, हैदराबाद		
13. केन्द्रीय सफिल I, II और III हैदराबाद		
14. केन्द्रीय सफिल, विजयवाड़ा	6 सहायक आयुक्त (निरीक्षण) सैन्ट्रल, हैदराबाद	
15 केन्द्रीय सफिल, काकीनाडा	7. सहायक आयुक्त (निरीक्षण) नेल्होर (जहाँ तक ओंगोले बपत्ता सफिलों का संबंध है)	
16 ओंगोले सफिल	8 सहायक आयुक्त (निरीक्षण) विजयवाड़ा	
17 बपत्ता सफिल	9. सहायक आयुक्त (निरीक्षण) (निर्धारण), गुंटूर।	
18. टोल्लो सफिल		
19 गुंटूर सफिल		
20 विजयवाड़ा सफिल		
21. मचिपिपतनम सफिल		
22. गुदिवक्का सफिल		
2 आयुक्त (अपील)-II हैदराबाद	1 सहायक आय-कर आयुक्त (निरीक्षण), रेंज-I, हैदराबाद (जहाँ तक करीमनगर सफिल का संबंध है)	
1 सफिल-III हैदराबाद	2. सहायक आय-कर आयुक्त (निरीक्षण), रेंज-II, हैदराबाद	
2. सफिल II, हैदराबाद	3 सहायक आय-कर आयुक्त (निरीक्षण), रेंज-III हैदराबाद (जहाँ तक सफिल-III हैदराबाद और चारागल सफिल का संबंध है)	
3. चारागल सफिल	4. सहायक आय-कर आयुक्त (निरीक्षण) रेंज-V हैदराबाद (जहाँ तक महबूबनगर सफिल, मारेहो सफिलों का संबंध है)	
4. करीमनगर सफिल	5 सहायक आय-कर आयुक्त (निरीक्षण), रेंज-IV हैदराबाद	
5. संगरोही सफिल	6. सहायक आय-कर आयुक्त (निरीक्षण), काकीनाडा	
8. निजामबाद सफिल	7 सहायक आय-कर आयुक्त (निरीक्षण) अनन्तपुर (जहाँ तक कुर्नूर सफिल, नन्दयाल सफिल, अनन्तपुर सफिल	
7. निरमल सफिल	8 सहायक आय-कर आयुक्त (निरीक्षण), प्रोद्गुह सफिल, प्रोद्गुह	
8 महबूब नगर सफिल		
9 कुर्नूर सफिल		
10 नन्दयाल सफिल		
11. अनन्तपुर सफिल		
12. लिन्दुपुर सफिल		
13. कुब्जाह सफिल		
14. प्रोद्गुह सफिल		
15. चित्तूर सफिल		
16. लिखपति सफिल		
17. नेल्होर सफिल		
18. इचूर सफिल		
19. तनुकु सफिल		
20. पलकोल सफिल		
21. भामबरम सफिल		
22. राजा मुद्रो सफिल		
23. काकिनाडा सफिल		
I और II		
24. अनन्तपुर सफिल		
25. अनन्तपुर सफिल		

1	2	3
25. अनन्तपुर सफिल	सफिल और लिन्दुपुर सफिलों का संबंध है)	
26. विजयवाड़नम		
27. विजयवाड़नम सफिल	8 सहायक आय-कर आयुक्त (निरीक्षण) नेल्होर (बपत्ता और ओंगोले सफिलों को छोड़कर)	
28. श्रीकाकुचम सफिल	9. सहायक आयुक्त (निरीक्षण) हैदराबाद	

यह अधिसूचना 1-8-79 से प्रभावी होगी।

[सं० 2953 (फा० सं० 261/11/79-आईटीजे)]

New Delhi, 28th July 1979

INCOME-TAX

S.O 3036.—In exercise of the powers conferred by sub-sec. (1) of Sec. 121A of the I.T. Act, 1961 (43 of 1961) and in partial modification of the Notification No. 2663 (F. No. 261)19/78-ITJ) dated 10-1-79 as amended from time to time the Central Board of Direct Taxes hereby directs that the Commissioners of Income-tax (Appeals) of the charges specified in column (1) of the Schedule below, shall perform their functions in respect of such persons assessed to Income-tax or Sur-tax or interest-tax in the Income-tax Wards, Circle, Districts and Ranges specified in the corresponding entries in column (2) and column (3) thereof as are aggrieved by any of the orders mentioned in clauses (a) to (h) of sub-section (2) of section 246 of the Income-tax Act, 1961, in sub-section (1) of Section II of Companies (Profits) Sur-tax Act, 1964 (7 of 1964), and in sub-section (1) of Section 15 of the Interest Tax Act, 1974 (45 of 1974) and also in respect of such persons or classes of persons as the Board has directed or may direct in future in accordance with the provisions of clause (1) of sub-section (2) of Section 246 of the Income-tax Act, 1961.

SCHEDULE

Charges with Head-quarters	Income-tax Wards and Circles	Ranges of Inspecting Asstt. Commissioners of Income-tax
1	2	3
1. Commis-sioner (Appeals)-I Hyderabad.	1. Circle-I, Hyd 2. Khammam Circle 3. Salary Circle, Hyd 4. Special Circle-I, Hyderabad 5. Special Circle-II, Hyderabad 6. Spl. Circle-III, Hyderabad 7. Spl. Cir. (Old) Hyderabad 8. Adoni Circle. 9. Central Circle Hyderabad (Old) 10. Project Circle, Hyderabad 11. Nalgonda Circle Hyd 12. Company Cir., Hyd 13. Central Circles-I, II, III Hyd. 14. Central Circle,	1. IAC of IT Range I, Hyd (in so far Cir. I, Hyd) is concerned 2. IAC of IT Range-III Hyd. (in so far Khammam Cir. is concerned) 3. IAC of IT Range-IV, Hyd. 4. IAC of IT Range-V, Hyderabad (in so far as Spl. Cir. II, Hyd., Project Cir., Hyd. & Nalgonda Cir. Gun-tur are concerned) 5. IAC of I.T. Anantpur (in so far as Adoni Cir. is concerned) 6. IAC, Central, Hyderabad 7. IAC, Nellore (in so far as Ongole Bapatla Circles are concerned).

1	2	3
	Vijayawada	8 IAC, Vijayawada
	15. Central Circle, Kakinada	9 IAC, (Assessment) Guntur
	16 Ongole Circle	
	17 Rapatla Circle	
Commissioner (Appeals)-I Hyderabad	18 Tenali Circle	
	19 Guntur Circle	
	20 Vijayawada Circle	
	21 Machilipatnam Circle	
	22 Gudivada Circle	
2 Commissioner (Appeals)-II Hyderabad,	1 Circle III Hyd	1 IAC of IT Range I Hyd (in so far as
	3 Wanangal Circle	Karimnagar Cir is concerned)
	4 Karimnagar, Cir	2 IAC of IT Range II, Hyderabad
	5 Sangareddy Cir	3 IAC of IT Range III Hyd (in so far as
	6 Nizambad Cir	Cir III, Hyderabad and Warangal Circles are concerned)
	7 Nirmal Circle	4 IAC of IT Range V Hyd (in so far as
	8 Mahaboobnagar Cir	Mahaboobnagar Cir Sangareddy Cirs are concerned)
	9 Kurnool Circle	5 IAC of IT, Vizakha-patnam
	10 Nandyal Circle	6 IAC of IT Kakinada
	11 Anantapur Circle	7 IAC of IT Anantapur (in so far as Kurnool
	12 Hindupur Circle	Cir Nandyal Cir Anantapur Cir Cud
	13 Cuddapah Circle	dapah Cir, Proddatur Cir, and Hindupur
	14 Proddatur Circle	Circles are concerned)
	15 Chittoor Circle	8 IAC of IT Nellore (excluding Bapatla and
	16 Tirupati Circle	Ongole Circles)
	17 Nellore Circle	9 IAC (Assessment) Hyd
	18 Eluru Circle	
	19 Tanuku Circle	
	20 Palacole Circle	
	21 Bhimavaram Cir	
	22 Rajahmundry Cir	
	23 Kakinada Cir-I	
	II	
	24 Amalapuram Cir	
	25 Anakapalli Cir	
	26 Visakhapatnam Cir	
	27 Vizianagaran Circle	
	28. Srikakulam Circle	

This notification shall take effect from 1-8-1979

[No 2953 (F No 261/11/79-ITJ)]

शुद्धिपत्र

आय-कर

क्रा०आ० 3037—केन्द्रीय प्रत्यक्ष-कर बोर्ड, आय-कर अधिनियम, 1961 (1961 का 43) की धारा 122 की उपधारा (1) द्वारा प्रदत्त शक्तियों और उस निमित्त उसे समय बनाने वाली सभी अन्य शक्तियों का प्रयोग करते हुए तथा पूर्वोक्त अधिसूचना सं० 2885 (क्रा०सं० 261/5/78-आई टी जे), तारीख 18-6-1979 का आंशिक उपान्तरण करते हुए, यह निर्देश करना है कि निम्नलिखित संशोधन किए जाए—

- (1) सहायक आयुक्त (अपील), आर०पी०, पुणे की अधिकारिता में, प्रविष्टि सं० 31 टी आर ओ-I 32 पूणे टी आर ओ II पुणे और 33 टी आर ओ-III पुणे को हटा दिया जाएगा।
- (2) सहायक आयुक्त (अपील), टी आर धेन की अधिकारिता में, प्रविष्टि सं० 17 टी आर ओ-I धेन, 18 टी आर ओ-II धेन और 29 टी आर ओ शोलापुर का हटा दिया जाएगा।

- (3) सहायक आयुक्त (अपील), के आर कोल्हापुर की अधिकारिता में, प्रविष्टि सं० 10 टी आर ओ, कोल्हापुर को हटा दिया जाएगा।

[सं० 2952 (क्रा सं० 261/5/78-आई टी जे)]

CORRIGENDUM INCOME TAX

S.O. 3037—In exercise of the powers conferred by sub-section (1) of Section 122 of the Income-tax Act 1961 (43 of 1961) and all other powers enabling it in that behalf and in partial modification of the previous Notification No 2885 (F No 261/5/78 ITJ) dated 18-6-1979 the Central Board of Direct Taxes, hereby directs that the following amendments may be made—

- (1) In the jurisdiction of AAC RP Pune, the entries No 31 TRO I, Pune, 32 TRO-II Pune and 33 TRO III Pune may be deleted.
- (2) In the jurisdiction of AAC TR Thane the entries No 17 TRO I Thane 18 TRO II, Thane and 29 TRO, Solapur may be deleted.
- (3) In the jurisdiction of AAC KR Kolhapur, the entry No 10 TRO, Kolhapur, may be deleted.

[No 2952/F No 261/5/78 ITJ]

नई दिल्ली 2 अगस्त 1979

आय-कर

क्रा०आ० 3038—केन्द्रीय प्रत्यक्ष-कर बोर्ड, नई दिल्ली, आय-कर अधिनियम 1961 (1961 का 43) की धारा 122 की उपधारा (1) द्वारा प्रदत्त शक्तियों और इस निमित्त उस समय बनाने वाली सभी अन्य शक्तियों का प्रयोग करते हुए समय-समय पर यथा संशोधित अपनी अधिसूचना सं० 2475 तारीख 22 अगस्त 1978 (क्रा०सं० 261/27/79-आई टी जे) से संलग्न अनुसूची में निम्नलिखित संशोधन करना है—

उक्त अनुसूची में, '5 सहायक आयुक्त (अपील), ए-रेज, जबलपुर' प्रविष्टि के सामने स्तंभ सं० 2 के अधीन निम्नलिखित जोड़ा जाएगा—

14 आय-कर अधिकारी ए-वार्ड जबलपुर।

यह अधिसूचना 1-8-79 से प्रभावी होगी।

[सं० 2956/क्रा०सं० 261/27/78-आई टी जे]

New Delhi, the 2nd August, 1979

INCOME TAX

S.O. 3038—In exercise of the powers conferred by sub-section (1) of Section 122 of the Income-tax Act, 1961 (43 of 1961) and all other powers enabling it in this behalf, the Central Board of Direct Taxes, New Delhi hereby makes the following amendments in the Schedule appended to its Notification No 2475 dated the 22nd August, 1978 (F No 261/27/78 ITJ), as amended from time to time

In the said Schedule against entry 5 Appellate Assistant Commissioner, A-Range, Jabalpur there shall be added the following column No 2—

14 Income-tax Officer, A-Ward, Jabalpur This Notification shall take effect from 1-8-79

[No 2956/F No 261/27/78-ITJ]

आय-कर

क्रा०आ० 3039—केन्द्रीय प्रत्यक्ष-कर बोर्ड नई दिल्ली, आय-कर अधिनियम, 1961 (1961 का 43) की धारा 121-क की उपधारा (1) द्वारा प्रदत्त शक्तियों और इस निमित्त उसे समय बनाने वाली सभी अन्य शक्तियों का प्रयोग करते हुए, अपनी अधिसूचना क्र०सं० 2471 (क्रा०सं० 261/22/78-आई टी जे) तारीख 18-8-78 से संलग्न अनुसूची में निम्नलिखित और संशोधन करना है।

उक्त अनुसूची में, "3. आय-कर आयुक्त (अपील) बड़ौदा" प्रविष्टि के सामने, स्तम्भ 2 के अधीन निम्नलिखित जोड़ा जाएगा।

14. "सम्पदा शुल्क तथा आय-कर सर्किल, सूरत"

यह अधिसूचना 1-5-1979 से प्रभावी होगी।

[सं० 2957/फा०सं० 261/7/79-आई टी जे]

INCOME-TAX

S.O. 3039.—In exercise of the powers conferred by sub-section (1) of Section 121A of the Income-tax Act, 1961 (43 of 1961), and all other powers enabling it in this behalf the Central Board of Direct Taxes, New Delhi hereby makes the following further amendments in the schedule appended to its notification F. No. 2471/(F. No. 261/22/78-ITJ) dated 18-8-78.

In the said schedule against entry "3. CIT (Appeals) Baroda" there shall be added the following under column 2

14. "Estate Duty cum I.T. Circle, Surat".

This notification shall take effect from 1-5-1979.

[No. 2957/F. No. 261/7/79-ITJ]

शुल्क

आयकर

फा०सं० 3040—केन्द्रीय प्रत्यक्ष-कर बोर्ड की अधिसूचना सं० 2471 (फा०सं० 261/22/78-आई टी जे), तारीख 1-8-78 में, आय-कर आयुक्त (अपील) अहमदाबाद की अधिकारिता के स्थान पर, अनुसूची में स्तम्भ 2 के अधीन, "3. आय-कर आयुक्त (अपील), बड़ौदा" प्रविष्टि के सामने, मब सं० 11 :

सम्पदा शुल्क सर्किल, बड़ौदा के स्थान पर,
सम्पदा शुल्क तथा आय-कर सर्किल, बड़ौदा पड़िए।

मब सं० 12 और 13 :

12. केन्द्रीय सर्किल I और II, बड़ौदा
13. केन्द्रीय सर्किल I और II सूरत के स्थान पर
12. सभी केन्द्रीय सर्किल, बड़ौदा
13. सभी केन्द्रीय सर्किल, सूरत पड़िए।

[सं० 2958/फा०सं० 261/7/79-आई टी जे]

CORRIGENDUM

S.O. 3040.—In the Notification of the Central Board of Direct Taxes No. 2471. (F. No. 261/22/78-ITJ) dated 1st August, 78 for the jurisdiction of Commissioner of Income-tax (Appeals) Ahmedabad.

Under column 2 of the Schedule against entry "3. Commissioner of Income-tax (Appeals), Baroda.

Item No. 11

For Estate Duty Circle, Baroda,

Read Estate Duty-cum-IT Circle, Baroda.

Item No. 12 and 13

For 12. Central Circle I & II Baroda

13. Central Circle I & II Surat

Read 12. All Central Circles at Baroda

13. All Central Circles at Surat.

[No. 2958/F. No. 261/7/79-ITJ]

आयकर

फा०सं० 3041—केन्द्रीय प्रत्यक्ष-कर बोर्ड, आय-कर अधिनियम, 1961 (1961 का 43) की धारा 122 की उपधारा (1) द्वारा प्रवृत्त शक्तियों और उस अधिनियम के अन्तर्गत बताने वाली सभी अन्य शक्तियों का प्रयोग करते हुए तथा अधिसूचना सं० 2383 (फा०सं० 261/7/78-आई टी जे),

तारीख 7 जुलाई, 1978 और अधिसूचना सं० 2600 (फा०सं० 261/16/78-आई टी जे), तारीख 28-11-78 का आंशिक उपांतरण करते हुए, यह निदेश करता है कि नीचे अनुसूची के स्तम्भ (1) में विनिर्दिष्ट प्रभागों वाले सहायक आय-कर आयुक्त (अपील) ऐसे व्यक्तियों की बाबत अपने कृत्य का पालन करेंगे, जिन पर उक्त अनुसूची के स्तम्भ (2) की तत्सम्बन्धी प्रविष्टियों में विनिर्दिष्ट आय-कर वार्डों, सर्किलों और रेंजों में आय-कर या अतिकर या व्याज कर निर्धारित किया गया है, किन्तु इनके अन्तर्गत ऐसे सभी व्यक्ति और आय, जिन पर आय-कर निर्धारित किया गया है, नहीं है, जिनकी बाबत अधिकारिता आय-कर आयुक्त (अपील), राजस्थान I और II, जयपुर में निहित है।

अनुसूची

रेंज	आय-कर सर्किल, वार्ड और जिले
1. सहायक आय-कर आयुक्त (अपील), ए-रेंज, जयपुर	1. केन्द्रीय सर्किल, जयपुर। 2. विशेष अन्वेषण सर्किल, जयपुर। 3. न्यास सर्किल, जयपुर। 4. कम्पनी सर्किल, जयपुर। 5. सभी वार्ड सर्किल, अजमेर
2. सहायक आय-कर आयुक्त (अपील), बी-रेंज, जयपुर	1 घ, ङ, च, छ, ज, ट और ठ वार्ड जयपुर 2 विशेष सर्वेक्षण सर्किल, जयपुर 3. सभी वार्ड/सर्किल, भरतपुर।
3. सहायक आय-कर आयुक्त (अपील) अजमेर रेंज, अजमेर।	1. सहायक आयुक्त (अपील) ए रेंज, जयपुर, सहायक आयुक्त (अपील), बी-रेंज, जयपुर और सहायक आयुक्त (अपील), कोटा रेंज, कोटा के सामने विनिर्दिष्ट वार्डों/सर्किलों से भिन्न सभी वार्ड सर्किल, जयपुर। 2 सभी वार्ड सर्किल, जयपुर। 3. सभी वार्ड, बीवर। 4. सभी, वार्ड सिकर। 5. सभी वार्ड, झुनझुन।
4. सहायक आय-कर आयुक्त (अपील), कोटा रेंज, कोटा	1. सभी वार्ड सर्किल, कोटा। 2. सभी वार्ड, बूंदी। 3. सभी वार्ड, झलवाड़। 4. सभी वार्ड, सवाई माधोपुर 5. पेतन सर्किल, जयपुर। 6. सम्पदा शुल्क एवं आय-कर सर्किल, जयपुर।

जहां कोई आयकर सर्किल, वार्ड या जिला या उसका कोई भाग इस अधिसूचना द्वारा एक रेंज से किसी अन्य रेंज को अन्तर्गत हो जाता है, वहां उस आय-कर सर्किल वार्ड या जिले या उसके किसी भाग में किए गए निर्धारणों से उत्पन्न होने वाली और उस रेंज के, जिससे वह आय-कर सर्किल वार्ड या जिला या उसका भाग अन्तर्गत हुआ है, सहायक आय-कर आयुक्त (अपील) के समक्ष इस अधिसूचना की तारीख के ठीक पूर्व खतित अपील उस तारीख से जिस तारीख को यह अधिसूचना प्रभावी होती है, उस रेंज के, जिसको उक्त सर्किल, वार्ड या जिला या उसका भाग अन्तर्गत हुआ है सहायक आयकर आयुक्त (अपील) को अन्तर्गत की जाएगी और उसके द्वारा उन पर कार्यवाही की जाएगी।

यह अधिसूचना 6-8-1979 से प्रभावी होगी।

[सं० 2963/फा०सं० 261/16/78-आई टी जे]

एस० के० भटनागर, अवर सचिव

INCOME TAX

S.O. 3041.—In exercise of the powers conferred by sub-section (1) of Section 122 of the Income-tax Act, 1961 (43 of 1961) and of all other powers enabling it in that behalf and in partial modification of Notification No. 2383 (F. No. 261/7/78-ITJ dated 7th July, 1978 and Notification No. 2600 (F.No. 261/16/78-ITJ) dated 28-11-78 the Central Board of Direct Taxes, hereby directs that the Appellate Assistant Commissioners of Income-tax of the Charges specified in Column (1) of the Schedule below, shall perform their functions in respect of such persons assessed to Income-tax or Sur-Tax or Interest-tax in the Income-tax wards, Circles and Ranges specified in the corresponding entries in Column (2) thereof excluding all persons and incomes assessed to Income-tax over which the jurisdiction vests in Commissioner of Income-tax (Appeals), Rajasthan I & II, Jaipur.

SCHEDULE

Range	Income-tax Circles/Wards & Districts
(1)	(2)
1. Appellate Assistant Commissioner of Income-tax, A-Range, Jaipur.	1. Central Circle, Jaipur 2. Special Investigation Circles, Jaipur 3. Trust Circle, Jaipur 4. Company Circles, Jaipur 5. All Wards/Circles at Alwar.
2. Appellate Assistant Commissioner of Income-tax, B-Range, Jaipur.	1. D,E,F,G,H,J & K Wards, Jaipur. 2. Special Survey Circles, Jaipur. 3. All Wards/circles at Bharatpur.

(1)
3. Appellate Assistant Commissioner of Income-tax, Ajmer Range, Ajmer.

4. Appellate Assistant Commissioner of Income-tax, Kota Range, Kota.

(2)
1. All Wards/Circles at Jaipur other than those specified against AAC, A-Range, Jaipur, AAC, B-Range Jaipur and AAC, Kota Range, Kota
2. All wards/circles at Ajmer.
3. All wards at Beawar
4. All wards at Sikar
5. All wards at Jhunjhunu.
1. All wards/circles at Kota
2. All wards at Bundi
3. All wards at Jhalawar
4. All wards at Sawaimadhopur
5. Salary Circle, Jaipur
6. Estate Duty-cum-Income-tax Circle, Jaipur.

Whereas the Income-tax Circle, Ward or District or part thereof stands transferred by this Notification from one Range to another Range, appeals arising out of the assessments made in that Income-tax Circle, Ward or District or part thereof and pending immediately before the date of this Notification before the Appellate Assistant Commissioner of Range from whom that Income-tax Circle, Ward or District or part thereof is transferred shall from the date of this Notification takes effect be transferred to and dealt with by the Appellate Assistant Commissioner of the Range to whom the said Circle, Ward or District or part thereof is transferred.

This notification shall take effect from 6-8-1979.

[No. 2963/F. No. 261/16/78-ITJ]
S. K. BHATNAGAR, Under Secy.

सार्वजनिक, नागरिक आपूर्ति एवं सहकारिता मंत्रालय

(नागरिक पूर्ति एवं सहकारिता विभाग)

भारतीय मानक संस्था

नई दिल्ली, 1979-08-09

क्रा०आ० 3042—समय-समय पर सशोधित भारतीय मानक संस्था (प्रमाणन विज्ञान) के विनियम, 1955 के विनियम 14 के उपविनियम (4) के अनुसार भारतीय मानक संस्था द्वारा यह अधिसूचित किया जाता है कि लाइसेंस संख्या सी एम/एन-5023, जिसके व्योरे नीचे दिए गए हैं, IS : 694-1977 में विद्यमान हो जाने के कारण 1-1-1979 से रद्द कर दिया गया है।

अनुसूची

क्रम संख्या	लाइसेंस संख्या तथा तिथि	लाइसेंसधारी का नाम और पता	रद्द किए गए लाइसेंस के अधीन वस्तु/प्रक्रिया	सम्बद्ध भारतीय मानक
(1)	(2)	(3)	(4)	(5)
1.	सी एम/एन-5023 1976-02-26	सैमर्स एस० बी० इण्डस्ट्रीज, रटोनहाउसरोड, नेल्सोर-524002 (ग्रा० प्र०)	तापनम्य रोधित ऋतुमह केबल, पीबीसी रोधित तथा पीबीसी खोलदार एन-मिनियम चालको वाले	IS : 3035 (भाग 1)—1965 तापनम्य रोधित ऋतुमह केबल की विशिष्ट भाग 1 पीबीसी रोधित और पीबीसी खोलदार।

[सं० सी एम बी/55 : 5023]

MINISTRY OF COMMERCE, CIVIL SUPPLIES AND CO-OPERATION

(Department of Civil Supplies and Co-operation)

INDIAN STANDARDS INSTITUTION

New Delhi, the 1979-08-09

S.O. 3042.—In pursuance of sub-regulation (4) of regulation 14 of the Indian Standards Institution (Certification Marks), Regulations 1955 as amended from time to time, the Indian Standards Institution hereby notifies that Licence No. CM/L-5023 particulars of which are given below has/have been cancelled with effect from 1-1-1979 due to merge in IS : 694-1977.

SCHEDULE

Sl. No. and Date	Name & Address of the Licensee	Article/Process Covered by the Licensees Cancelled	Relevant Indian Standards
(1)	(2)	(3)	(4)
1. CM/L-5023 1976-02-26	M/s. S.V. Industries Stonchousepet, Nellore-524002 (A.P.)	Thermoplastic insulated weather-proof cables PVC insulated and PVC sheathed, aluminium conductors	IS : 3035 (Part I)—1965 Specification for thermoplastic insulated weather-proof cables Part I PVC insulated and PVC sheathed

[No. CMD/55 : 5023]

नई दिल्ली, 1979-08-10

कां० 3043.—समय-समय पर संशोधित भारतीय मानक संस्था (प्रमाणन चिह्न) विनियम, 1955 के विनियम 5 के उपविनियम (1) के अनुसार, भारतीय मानक संस्था द्वारा यह अधिसूचित किया जाता है कि जिन भारतीय मानकों के न्यौरे आने अनुपुची में दिए गए हैं, अब रद्द कर दिए गए हैं तथा अब उन्हें वापस माना जाए :

अनुसूची

क्रम संख्या	कम रद्द किया गया भारतीय मानक की संख्या तथा शीर्षक	जिस राजपत्र अधिसूचना में भारतीय मानक की स्थापना की अधिसूचना छपी थी उसका एम आ नम्बर और शीर्षक	विवरण
(1)	(2)	(3)	(4)
1.	IS : 2299—1968 नागरिक रक्षा के लिए हेलमेट की विनिर्दिष्ट (पहला पुनरीक्षण)	भारत के राजपत्र भाग II, खण्ड 3, उपखण्ड (ii) दिनांक 1968-08-10 में एम आ संख्या 2766 दिनांक 1968-07-29 के अधीन प्रकाशित ।	इन भारतीय मानकों में दी गई विनिर्दिष्टियां का अब नागरिक सुरक्षा विभाग द्वारा अनुसरण नहीं किया जा रहा है, फिर भी भा मा संस्था के सिविल इंजीनियरी विभाग ने नागरिक सुरक्षा उपयोग में आने वाले कर्मचारीरियों के लिए IS : 2745—1969 के अनुरूप हेलमेट निर्धारित किए हैं ।
2.	IS : 2300—1968 नागरिक रक्षा के लिए अधात्विक हेलमेट की विनिर्दिष्ट (पहला पुनरीक्षण)	भारत के राजपत्र भाग II, खण्ड 3, उपखण्ड (ii) दिनांक 1968-09-28 में एम आ संख्या 3453 दिनांक 1968-09-04 के अधीन प्रकाशित	

[सं० सी एम डी/13. 7]

New Delhi, the 1979-08-10

S.O. 3043.—In pursuance of sub-regulation (1) of Regulation 5 of the Indian Standards Institution (Certification Marks) Regulations, 1955 as amended from time to time, it is, hereby, notified that the Indian Standard(s), particulars of which are mentioned in the Schedule given hereafter have been cancelled and stands withdrawn :

SCHEDULE

Sl. No. & Title of the Indian Standard Cancelled	S.O. No. & Date of the Gazette Notification in which Establishment of the Indian Standard was Notified	Remarks
(1)	(2)	(3)
1. IS : 2299—1968 Specification for steel helmets for civil defence (first revision)	S.O. 2766 dated 1968-07-29 published in the Gazette of India, Part-II, Section-3, Sub-section (ii) dated 1968-08-10	As the specifications covered in these Indian Standards are not followed by Civil Defence Department. However, Civil Engineering Department of ISI has now prescribed firemen helmets to IS : 2745—1969 for the use of Civil Defence purposes.
2. IS : 2300—1968 Specification for non-metal helmets for civil defence (first revision)	S.O. 3453 dated 1968-09-04 published in the Gazette of India, Part-II, Section-3, Sub-section (ii) dated 1968-09-28	

[No. CMD/13 : 7]

कांजा० 3044—समय-समय पर संशोधित भारतीय मानक सत्या (प्रमाणन चिह्न) विनियम, 1955 के विनियम 5 के उपविनियम (1) के अनुसार यह अधिसूचित किया जाता है कि जिन भारतीय मानकों के बारे में इनके बाद अनुसूची में दिए गए हैं, अब रद्द कर दिए गए हैं तथा अब उन्हें वापस मान जाए।

अनुसूची

क्रम संख्या	रद्द किए गए भारतीय मानक की संख्या तथा शीर्षक	जिस राजपत्र अधिसूचना में भारतीय मानक की स्थापना की अधिसूचना छपी थी उसकी एस ओ संख्या और दिनांक	विवरण
(1)	(2)	(3)	(4)
1	IS 4557—1968 बनावटी अंगों के लिए सपाट समतलीय दफ्तर सम्बन्धी साधनों की विशिष्टि	भारत के राजपत्र भाग II, खण्ड 3 उपखण्ड (ii) दिनांक 1968-07-20 में एस ओ संख्या 2578, दिनांक 1968-07-09 के अधीन प्रकाशित।	इन भारतीय मानकों में सम्मिलित वस्तुएं अब सम्पूर्ण रूप से अप्रचलित हैं तथा व्यवसाय और व्यापार में इनका कोई उपयोग नहीं है।
2	IS 4608—1968 बनावटी अंगों के लिए ब्रुश पकड़ने के साधन की विशिष्टि	भारत के राजपत्र भाग II, खण्ड 3, उपखण्ड (ii) दिनांक 1968-09-14 में एस ओ संख्या 3152, दिनांक 1968-08-27 के अधीन प्रकाशित।	
3	IS 4612—1968 बनावटी अंगों के लिए स्प्रिंग लगे 'सी' तुमा बुरुक वाले अन्तसाधन की विशिष्टि	भारत के राजपत्र भाग II, खण्ड 3, उपखण्ड (ii) दिनांक 1968-09-28 में एस ओ संख्या 3453, दिनांक 1968-09-04 के अधीन प्रकाशित।	
4	IS 4657—1968 बनावटी अंगों के लिए छल्ना साधन की विशिष्टि	भारत के राजपत्र भाग II, खण्ड 3, उपखण्ड (ii) दिनांक 1968-10-26 में एस ओ संख्या 3745, दिनांक 1968-10-09 के अधीन प्रकाशित।	
5	IS 4676—1968 बनावटी अंगों के लिए कारखाने के औजार पकड़ने के साधन की विशिष्टि	भारत के राजपत्र भाग II, खण्ड 3, उपखण्ड (ii) दिनांक 1968-10-12 में एस ओ संख्या 3608 दिनांक 1968-09-25 के अधीन प्रकाशित।	
6	IS 4678—1968 बनावटी अंगों के लिए हर वस्तु में लगने वाले साधन की विशिष्टि	—नदेव—	

[स० सी एम /13 : 7]

S.O. 3044—In pursuance of sub-regulation (1) of Regulation 5 of the Indian Standards Institution (Certification Marks) Regulations, 1955 as amended from time to time it is, hereby, notified that the Indian Standards particulars of which are mentioned in the Schedule given hereafter, have been cancelled and stands withdrawn.

SCHEDULE

Sl No	No & Title of the Indian Standard Cancelled	S O No. & Date of the Gazette Notification in which Establishment of the Indian Standard was notified	Remarks
(1)	(2)	(3)	(4)
1	IS : 4557-1968 Specification for appliance, office, flat adjustable, for artificial limbs	S O 2578 dated 1968 07 09 published in the Gazette of India, Part-II, Section-3, Sub-section (ii) dated 1968-07-20	As the items included in these Indian Standards are completely obsolete and have no utility in the profession and trade.
2	IS : 4608-1968 Specification for brush-holding device for artificial limbs	S O 3152 dated 1968-08-27 published in the Gazette of India, Part-II, Section-3, Sub-section (ii) dated 1968-09-14	
3	IS : 4612-1968 Specification for C-hook terminal device, spring loaded, for artificial limbs	S O 3453 dated 1968-09-04 published in the Gazette of India, Part-II, Section-3 Sub-section (ii) dated 1968-09-28	
4	IS : 4657-1968 Specification for ring-device for artificial limbs	S O 3745 dated 1968-10-09 published in the Gazette of India, Part-II, Section-3, Sub-section (ii) dated 1968-10-26	
5	IS : 4676-1968 Specification for workshop-tool-holding device for artificial limbs	S O 3608 dated 1968-09-25 published in the Gazette of India, Part-II, Section-3, Sub-section (ii) dated 1968-10-12	
6	IS : 4678-1968 Specification for universal device for artificial limbs	Do.	

[No. CMD/13 : 7]

कांजा० 3045—समय-समय पर संशोधित भारतीय मानक सत्या (प्रमाणन चिह्न) विनियम 1953 के विनियम 4 के उपविनियम (2) के अनुसार भारतीय मानक सत्या द्वारा अधिसूचित किया जाता है कि IS 2300—1968 नागरिक रक्षा के लिए अधात्विक हेल्मेट की विशिष्टि (पहना पुनरीक्षण)

से सम्बद्ध नागरिक रक्षा के लिए अध्यात्मिक हेल्मेट के मानक चिह्न की विज्ञापन, जिसके ब्योरे भारत के राजपत्र भाग II, खण्ड 3, उपखण्ड (ii) दिनांक 1972-06-24 में एम० ओ 1558, दिनांक 1972-05-09 के अधीन प्रकाशित हुए थे, वह अब रद्द कर दी गई है।

[सं० सी एम डी/13 : 9]

S.O. 3045.—In pursuance of sub-rule (2) of Rule 4 of the Indian Standards Institution (Certification Marks) Rules, 1955 as amended from time to time, it is, hereby, notified that the design of the Standard Mark for non-metal helmets for civil defence, relating to IS : 2300-1968 Specification for non-metal helmets for civil defence (first revision), details of which were published in the Gazette of India, Part-II, Section-3, Sub-section (ii) dated 1972-06-24 under number S.O. 1558 dated 1972-05-09, has been rescinded.

[No. CMD/13 : 9]

नई दिल्ली, 1979-08-21

का०आ० 3046.—समय-समय पर संशोधित भारतीय मानक संस्था (प्रमाणन चिह्न) विनियम, 1955 के विनियम 5 के उपविनियम (1) के अनुसार यह अधिसूचित किया जाता है कि जिस भारतीय मानक के ब्योरे इसके बाद अनुसूची में दिए गए हैं अब रद्द कर दिया गया है तथा अब उसे वापस माना जाए :

अनुसूची

क्रम संख्या	रद्द किए गए भारतीय मानक की संख्या तथा शीर्षक	जिस राजपत्र अधिसूचना में भारतीय मानक की स्थापना की अधिसूचना छपी थी उसकी एस ओ संख्या और दिनांक	विवरण
(1)	(2)	(3)	(4)
1.	IS : 6764—1972 वायुयान के यांत्रिक नियंत्रण सर्किट की पहचान सम्बन्धी रंग संहिता	राजपत्र भाग II, खण्ड 3, उपखण्ड (ii), दिनांक 1975-08-09 में एम ओ संख्या 2558, दिनांक 1975-07-25 के अधीन प्रकाशित।	वर्तमान वायुयानों के नन्दर्भ में उसके अपर्याप्त होने के कारण सम्बद्ध आई एस ओ/भार 130—1969 वायुयान के यांत्रिक नियंत्रण सर्किट की रंगपरक पहचान नामक अन्तर्राष्ट्रीय मानकीकरण संगठन (आई एस ओ) का मानक हटा लिए जाने के फलस्वरूप।

[सं० सी एम डी/13 : 7]

New Delhi, the 1979-08-21

S.O. 3047.—In pursuance of sub-regulation (1) of Regulation 5 of the Indian Standards Institution (Certification Marks) Regulation, 1955 as amended from time to time, it is, hereby, notified that the Indian Standard, particulars of which is mentioned in the Schedule given hereafter, has been cancelled and stands withdrawn :

SCHEDULE

Sl. No.	No. & Title of the Indian Standard Cancelled	S.O. No. & Date of the Gazette Notification in which Establishment of the Indian Standard was Notified	Remarks
(1)	(2)	(3)	(4)
1.	IS : 6764-1972 Colour code for identification for aircraft mechanical control circuits	S.O. 2558 dated 1975-07-25 published in the Gazette of India, Part II, Section-3, Sub-section (ii) dated 1975-08-09	As the corresponding ISO Standard ISO/R 130-1969 Colour identification of Mechanical Control Circuits for Aircraft had been withdrawn by the ISO on the grounds of its inadequacy for use on contemporary aircraft

[No. CMD/13 : 7]

का०आ० 3047.—समय-समय पर संशोधित भारतीय मानक संस्था (प्रमाणन चिह्न) विनियम, 1955 के विनियम 5 के उपविनियम (1) के अनुसार यह अधिसूचित किया जाता है कि जिस भारतीय मानक के ब्योरे इसके बाद अनुसूची में दिए गए हैं, अब रद्द कर दिए गए हैं तथा अब उन्हें वापस माना जाए :

अनुसूची

क्रम संख्या	रद्द किए गए भारतीय मानक की संख्या और शीर्षक	जिस राजपत्र अधिसूचना में भारतीय मानक की स्थापना की अधिसूचना छपी थी उसकी एस ओ संख्या और दिनांक	विवरण
(1)	(2)	(3)	(4)
1.	IS : 2934 (भाग 1)—1964 बिना तार बंधे परिवर्ती प्रतिरोधक (विश्वमापी) टाइप II : भाग I परीक्षण तथा सामान्य अपेक्षाएं	भारत के राजपत्र भाग II, खण्ड 3, उपखण्ड (ii), दिनांक 1965-10-23 में एम ओ संख्या 3322 दिनांक 1965-10-08 के अधीन प्रकाशित	इस मानक में सम्मिलित परिवर्ती प्रतिरोधक अब IS : 8872 (भाग I)—1977 में सम्मिलित हो जाने के कारण।

1	2	3	4
2	IS : 3375 (भाग 1)—1965 तार बंधे प्रति-रोधक टाइप II : भाग 1 परीक्षण और सामान्य अपेक्षाएं	भारत के राजपत्र भाग II, खण्ड 3, उपखण्ड (ii), दिनांक 1966-07-30 में एम ओ संख्या 2246 दिनांक 1966-07-15 के अधीन प्रकाशित	तार बंधे प्रतिरोधकों की अपेक्षाएं अब IS : 8909 (भाग 1 में)—1978 में सम्मिलित हो जाने के कारण
3.	IS : 3373 (भाग II)—1967 तार बंधे प्रति-रोधक टाइप II : भाग II कांचाभ इन्वेल चडे	भारत के राजपत्र भाग II, खण्ड 3, उपखण्ड (ii), दिनांक 1968-07-30 में एम ओ संख्या 2578, दिनांक 1968-07-09 के अधीन प्रकाशित	„

[सं० सी.एस.बी/13 : 7]

S.O. 3047.—In pursuance of sub-regulation (1) of Regulation 5 of the Indian Standards Institution (Certification Marks) Regulations, 1955 as amended from time to time, it is, hereby, notified that the Indian Standards, particulars of which are mentioned in the Schedule given hereafter, have been cancelled and stands withdrawn :

SCHEDULE

Sl. No. & Title of the Indian Standard Cancelled	S.O. No. & Date of the Gazette Notification in which Establishment of the Indian Standard was notified	Remarks
(1)	(2)	(3)
1. IS : 2934 (Part I)—1964 Non-wire-wound variable resistors (Potentiometers), Type 2 : Part I Tests and general requirements	S.O. 3322 dated 1965-10-08 published in the Gazette of India, Part II, Section-3, Sub-section (ii) dated 1965-10-23	As the variable resistors covered in this standard has now been covered in IS : 8872 (Part I)—1977
2. IS : 3373 (Part I)—1965 Wirewound resistors, Type II : Part I Tests and general requirements	S.O. 2246 dated 1966-07-15 published in the Gazette of India, Part II, Section-3, Sub-section (ii) dated 1966-07-30	As the requirements of wirewound resistors have now been covered in IS : 8909 (Parts I to V)—1978
3. IS : 3373 (Part II)—1967 Wirewound resistors, Type II : Part II Vitreous enamelled	S.O. 2578 dated 1968-07-09 published in the Gazette of India, Part II, Section-3, Sub-section (ii) dated 1968-07-20	Do.

[No. CMD/13 : 7]

क्रा०सा० 3048—समय-समय पर संशोधित भारतीय मानक संस्था (प्रमाणन विज्ञान) के विनियम, 1955 के विनियम 4 के उपविनियम (2) के अनुसार अधिसूचित किया जाता है कि IS : 3035 (भाग 1 और 2)—1965 तापनम्य रोधित ऋतुसह केबल कीट्टिविशिष्ट भाग I पीवीसी रोधित और पीवीसी खोलवार और भाग II पोलिइथाइलीन रोधित, टेप लगे या टेप रहित, ब्रेडेड तथा सहमिलित सम्बन्धी तापनम्य ऋतुसह केबल के मानक विज्ञान की विज्ञापन उसके ब्योरे भारत के राजपत्र भाग II, खण्ड 3, उपखण्ड (ii), दिनांक 1966-10-15 में एम० ओ० संख्या 3061 दिनांक 1966-10-03 के अधीन प्रकाशित हुए थे अब 1979-01-01 से वापस ले ली गई है।

[सं० सी.एस.बी/13 : 9]

S.O. 3048.—In pursuance of sub-rule (2) of Rule 4 of the Indian Standards Institution (Certification Marks) Rules, 1955 as amended from time to time, it is, hereby, notified that the design of the Standard Mark for thermoplastic insulated weatherproof cables, relating to IS : 3035 (Part I & II)—1965 Specification for thermoplastic insulated weatherproof cables Part I: PVC insulated and PVC sheathed and Part II : Polyethylene insulated, taped or untaped, braided and compounded, details of which were published in the Gazette of India, Part II, Section-3, Sub-section (ii) dated 1966-10-15 under number S.O. 3061 dated 1966-10-03, has been rescinded with effect from 1979-01-01.

[No. CMD/13 : 9]

क्रा०सा० 3049—भारत के राजपत्र भाग II, खण्ड 3, उपखण्ड (ii) दिनांक 1963-03-23 में प्रकाशित तत्कालीन वाणिज्य एवं उद्योग मंत्रालय (भारतीय मानक संस्था) अधिसूचना संख्या एम ओ 692 दिनांक 1963-02-28 का आंशिक रूप में संशोधन करते हुए भारतीय मानक संस्था द्वारा अधिसूचित किया जाता है कि भीतरी इन्वेल के लिए प्रति इकाई मुहर लगाने की फीस की दर में कुछ संशोधन किया गया है। यह संशोधित दर जिसके ब्योरे नीचे अनुसूची में दिए गए हैं, 1979-05-01 से लागू होंगी।

अनुसूची

क्रम संख्या	उत्पाद/उत्पाद की श्रेणी	सम्बद्ध भारतीय मानक की संख्या तथा शीर्षक	इकाई	प्रति इकाई मुहर लगाने की फीस
(1)	(2)	(3)	(4)	(5)
1.	इन्वेल, भीतरी	IS : 133—1975 भीतरी इन्वेल	एक सेंटर	5 पैसे
	(क) निचली परत देने का	(क) निचली परत देने और		
	(ख) फिनिश देने का	(ख) फिनिश देने वाले की विशिष्ट		

[सी.एस.बी/13 : 10]

ए० पी० बनर्जी, उपमहानिदेशक

S.O. 3049—In partial modification of the then Ministry of Commerce and Industry (Indian Standards Institution) notification number S.O. 692 dated 1963-02-28, published in the Gazette of India, Part-II, Section-3, Sub-section (ii) dated 1963-03-23, the Indian Standards Institution, hereby, notifies that the rate of marking fee per unit for enamel, interior has been revised. The revised rate of marking fee, details of which are mentioned in the schedule given hereafter, shall come into force with effect from 1979-05-01 :

SCHEDULE

Sl. No.	Product/Class of Product	No. and Title of Relevant Indian Standard	Unit	Marking Fee Per Unit
1.	Enamel, interior (a) undercoating, (b) finishing	IS : 133-1975 Specification for enamel, (a) undercoating, (b) finishing	One Litre	5 Paise

[No. CMD/13 : 10]

A.P. BANERJI, Deputy Director General

संयुक्त मुख्य निर्यातक, आयात-निर्यात का कार्यालय

जाबेश

नई दिल्ली, 21 अगस्त, 1979

का० प्र० 3050.—सर्वश्री रमन इन्डस्ट्रीज, 87-बी इन्डस्ट्रियल एस्टेट, लुधियाना को रीड बुक के परिशिष्ट 41, अनुसूची "ग" वर्ग 3 (क) और वर्ग-2 क्रम सं० (13) के अनुसार सभी श्रेणी के हाई स्पीड स्टील (नाम कोबाल्ट बियरिंग्स) 10 एम एम से कम, 10 एम एम से 26 एम एम स्क्वायर (96,000 रुपये) 2. सभी श्रेणी के हाई स्पीड (कोबाल्ट बियरिंग 10 एम एम से कम, 10 एम एम से 26 एम एम के आयात के लिए 2,40,000 रुपये का आयात लाइसेंस सं० पी एस 1848552 सी एक्स एक्स सी 59/43-44 दिनांक 8-9-76 प्रदान किया गया गया। उन्होंने 1979-80 की आयात निर्यात क्रियाविधि हैडबुक के पैरा 334 के अन्तर्गत अपेक्षित एक शपथ-पत्र दाखिल किया है, जिसमें उन्होंने बताया है कि अग्रेल-मार्च 77 अवधि के लिए 2,40,000 रुपये का लाइसेंस सं० पी एस 1848552 सी दिनांक 8-9-76 63471 रु० तक प्रांशिक रूप से उपयोग में लाने और बम्बई के सीमा-शुल्क कार्यालय के पास पंजीकृत कराने के पश्चात् छोड़ दिया/अस्थानस्थ हो गया है और इसमें अब शेष अप्रयुक्त 1,76,529 रुपये हैं।

2. मैं संतुष्ट हूँ कि उक्त लाइसेंस की सीमा-शुल्क प्रयोजन प्रति और भुआ विनिमय नियंत्रण प्रति छोड़ गई/अस्थानस्थ हो गई है।

3. अद्यतन संचालनोद्यम, आयात निर्यात व्यापार आदेश 1955 दिनांक 7-12-55 की उप-धारा 9 सी सी के अन्तर्गत मेरे लिए प्रवृत्त अधिकारों का प्रयोग करते हुए 2,40,000 रुपये का उक्त लाइसेंस सं० पी एस 1848552 सी दिनांक 8-9-76 एतद्वारा रद्द किया जाता है।

4. अब आवेदक को 1979-80 की आयात-निर्यात क्रियाविधि हैडबुक के पैरा 334 में की गई व्यवस्था के अनुसार 2,40,000 रुपये के आयात लाइसेंस सं० पी एस 1848552 सी दिनांक 8-9-76 की अनुलिपि सीमा-शुल्क प्रयोजन प्रति और भुआ विनिमय नियंत्रण प्रति जारी की जा रही है।

[सं० एस/आर-4/पी०बी०/एम-77/ए यू-2/सी०एल०ए०]

के० रमन, उप-मुख्य निर्यातक, आयात-निर्यात

इसे संयुक्त मुख्य निर्यातक, आयात-निर्यात

(Office of the Jt. Chief Controller of Imports & Exports)

ORDER

New Delhi, the 21st August, 1979

S.O. 3050—M/s. Raman Industries, 87-B Industrial Estate, Ludhiana were granted Import Licence No. P/S/1848552/C/XX/D/59/43-44 dated 8th September, 1976 for Rs. 2,40,000 for import of High Speed Steel of all grades (Non-Cobalt Bearings) Square below 10 MM, 10 MM to 26MM (upto Rs. 96,000) 2. High Speed of all grades (Co-

balt bearings) below 10MM, 10MM to 26MM as per Schedule 'C' Group 3(a) and Group-II(S. No. 13) App. 41 of Red Book. They have filed an affidavit as required under para 334 of Hand Book of Import Export Procedure, 1979-80 wherein they have stated that Licence No. P/S/1848552/C, dated 8th September, 1976 for Rs. 2,40,000 for AM.77 Period has been lost/misplaced and having utilised partly for Rs. 63471 after having registered at Bombay Custom House, Bombay and the unutilised amount is Rs. 1,76,529.

2. I am satisfied that the Custom Purpose copy and Exchange Control copy of the said licence has been lost/misplaced.

3. In exercise of the Powers conferred on me under sub-clause 9(cc) in the Import Trade Control Order 1955 dated 7th December, 1955 as amended upto date the said Licence No. P/S/1848552/C dated 8th September, 1976 for Rs. 2,40,000 is here cancelled.

4. The applicant is now being issued duplicate custom purpose copy and Exchange Control copy of Import Licence No. P/S/1848552/C dated 8th September 1976 for Rs. 2,40,000 in accordance with the provision of Para 334 of Hand Book of Import—Export Procedures, 1979-80.

[No. S/R-4/Pb/AM-77/AU-II/CLA]

K. RAMAN,

Deputy Chief Controller of Imports & Exports

for Jt. Chief Controller of Imports and Exports.

विदेश संचालय

नई दिल्ली, 1 अगस्त, 1979

का० प्र० 3051.—उत्प्रवास अधिनियम, 1922 (1922 का VII) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार इसके द्वारा अधीक्षक, श्री सी० सी० वी० नायर को जन-संपर्क अधिकारी, श्री ई० राजन के स्थान पर, जो छुट्टी पर गए हैं, 3 जुलाई से 8 जुलाई, 1979 तक के लिए विदेशी हवाई प्रवाह पर उत्प्रवास संचालक नियुक्त करती है।

[सं० सी० पी० ई० प्रो/10/79]

एस० के० वर्मा, धवर मन्त्रि

MINISTRY OF EXTERNAL AFFAIRS

New Delhi, the 1st August, 1979

S.O. 3051—In exercise of the powers conferred by Section 3 of the Emigration Act, 1922 (VII of 1922), the Central Government hereby appoints Shri C. C. V. Nair, Superintendent to be Protector of Emigrants for the airport of Trivandrum from 3rd to 8th July, 1979 vice Shri E. Rajan, Public Relations Officer, Proceeded on leave.

[No. CPEO/10/79]

S. K. VFRMA, Under Secy.

नई दिल्ली, 13 अगस्त, 1979

का० भा० 3052.—उत्प्रवास अधिनियम, 1922 (1922 का II) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार इसके द्वारा सहायक पासपोर्ट अधिकारी, श्री बी० एम० महाजन को, जन सम्पर्क अधिकारी श्री इरविन कुमार के स्थान पर, उनके अपने कार्यों के अतिरिक्त 10-8-79 (पूर्वाह्न) से क्षेत्रीय पासपोर्ट कार्यालय, नई दिल्ली में उत्प्रवास मरक्षक भी नियुक्त करती है।

[सं० सी० पी० ई० प्रो०/13/79]

के० डी० शर्मा, संयुक्त सचिव, सी० पी० बी०
एवं मुख्य पासपोर्ट अधिकारी

New Delhi, the 13th August, 1979

S.O. 3052.—In exercise of the powers conferred by Section 3 of the Emigration Act, 1922 (VII of 1922), the Central Government hereby appoints Shri B. M. Mahajan, Assistant Passport Officer, to be Protector of Emigrants, in the Office of the Regional Passport and Emigration Office, New Delhi with effect from 10th August, 1979 (FN), in addition to his own duties, vice Shri Irwin Kumar.

[No. CPEO/13/79]

K. D. SHARMA, Jt. Secy. (CPV)
Chief Passport Officer.

स्वास्थ्य और परिवार कल्याण मंत्रालय

नई दिल्ली, 21 अगस्त, 1979

का० भा० 3053.—यत्, भारतीय आयुर्विज्ञान परिषद् अधिनियम 1956 (1956 का 102) की धारा 3 की उप-धारा (1) के खण्ड (ख) के उपबंधों के अनुसरण में जीवाजी विश्वविद्यालय ने डा० अजय शंकर, डीन, फैकल्टी आफ मेडिसीन एण्ड प्रोफेसर अध्यक्ष, चिकित्सा विभाग, जी० भार० मेडिकल कालेज, ग्वालियर को 24 मार्च, 1979 से भारतीय आयुर्विज्ञान परिषद् का सदस्य निर्वाचित किया है ;

अतः अब उक्त अधिनियम की धारा 3 की उप-धारा (i) के उप-बंधों का पालन करते हुए केन्द्रीय सरकार एतद्वारा भूतपूर्व स्वास्थ्य मंत्रालय की 9 जनवरी, 1960 की अधिसूचना संख्या एस० ओ० 138 में निम्नलिखित और संशोधन करती है, अर्थात् :—

उक्त अधिसूचना में, “धारा 3 की उप-धारा (1) के खण्ड (ख) के अधीन निर्वाचित” शीर्ष के अंतर्गत क्रम संख्या 31 और उससे संबंधित प्रविष्टि के स्थान पर निम्नलिखित क्रम संख्या और प्रविष्टि प्रतिस्थापित की जाए, अर्थात् :—

“31. डा० अजय शंकर,
डीन, फैकल्टी आफ मेडिसीन एण्ड प्रोफेसर,
अध्यक्ष, चिकित्सा विभाग,
जी० भार० मेडिकल कालेज,
ग्वालियर।”

[सं० बी० 11013/17/79-एम० ई० (पी०)]

क. ल. माटिया, प्रवर सचिव

MINISTRY OF HEALTH AND FAMILY WELFARE

(Department of Health)

New Delhi, the 21st August, 1979

S.O. 3053.—Whereas in pursuance of the provisions of clause (b) of sub-section (1) of section 3 of the Indian Medical Council Act, 1956 (102 of 1956), Dr. Ajay Shankar, Dean, Faculty of Medicine & Professor, Head of Department of Medicine, G. R. Medical College, Gwalior, has been elected by the Jiwaji University to be a member of the Medical Council of India with effect from the 24th March, 1979.

Now, therefore, in pursuance of the provisions of the sub-section (1) of section 3 of the said Act, the Central Government hereby makes the following further amendments in the

notification of the late Ministry of Health No. S.O. 138, dated the 9th January, 1960, namely :—

In the said notification, under the heading “Elected under clause (b) of sub-section (1) of Section 3”, for Serial No. 31 and the entry relating thereto, the following Serial No. and entry shall be substituted, namely :—

“31. Dr. Ajay Shankar,
Dean Faculty of Medicine and Professor,
Head of Department of Medicine,
G. R. Medical College,
GWALIOR.”

[No. V. 11013/17/79-M.E. (Policy)]

K. L. BHATIA, Under Secy.

गृह-पत्र

नई दिल्ली, 27 अगस्त, 1979

का० भा० 3054.—इस मंत्रालय की 19 नवम्बर, 1976 की अधिसूचना संख्या एस० 11011/5/76-के० सं० स्वा० यो० (क) केन्द्रीय सरकार स्वास्थ्य योजना (पटना) नियम के पैरा 2 में प्राए शब्द “वि सेक्रेटरी आफ स्टेट्स सविसेज (मेडिकल अटेंडन्स) रूल्स, 1938” इसके द्वारा हटाये जाते हैं।

[सं० एस० 11011/5/76-के० सं० स्वा० यो० (पी)]

एस० पी० गोस्वामी, प्रवर सचिव।

(Department of Health)

New Delhi, the 27th August, 1979

CORRIGENDUM

S.O. 3054.—The words “the Secretary of States’ Services (Medical Attendance) Rules, 1938” appearing in para 2 of this Ministry’s Notification No. S. 11011/5/76-CGHS (A) dated the 19th November, 1976 Central Government Health Scheme (Patna) Rules, are hereby deleted.

[No. S. 11011/5/76-CGHS (P)]

S. P. GOSWAMI, Under Secy.

पर्यटन और नागर विमानन मंत्रालय

नई दिल्ली, 21 अगस्त, 1979

का० भा० 3055.—यत्, 4 अगस्त, 1979 को इण्डियन एयरलाइन्स का एक एच-एम-748 विमान बी० टी० डी० एक्स० जे० पुणे से बम्बई के लिए अनुसूचित उड़ान सं० आई० सी०-158 का परिचालन करते समय बम्बई के निकट ध्वस्त हो गया, जिनके परिणाम-स्वरूप विमान पर सवार 45 व्यक्तियों (जिनमें 5 विमान कर्मिक भी सम्मिलित थे) की मृत्यु हो गयी ;

और यतः केन्द्रीय सरकार यह अनुभव करती है कि उक्त दुर्घटना की परिस्थितियों की औपचारिक जांच करना बांछनीय है ;

अतः, अब, वायुयान नियम, 1937 के नियम 75 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा निदेश करती है कि उक्त दुर्घटना की औपचारिक जांच की जाए।

केन्द्रीय सरकार उक्त जांच करने के लिए बम्बई उच्च न्यायालय के न्यायाधीश, श्री जस्टिस डी० एम० रेगे को नियुक्त करती है।

केन्द्रीय सरकार उक्त जांच करने के लिए असेसमेंट के रूप में कार्य करने के लिए निम्नलिखित को भी नियुक्त करती है :—

- (1) कैप्टन बी० के० होसामी,
उप परिचालन प्रबन्धक,
एयर इण्डिया

- (2) श्री जे० सी० काणिक,
सेवा-निवृत्त क्षेत्रीय निदेशक,
नागर विमानन विभाग
- (3) डा० बी० पी० कोठाली,
निदेशक,
इंजीनियरिंग विभाग
- (4) मृप कैप्टेन एम० एस० मुकुत्तानी,
हैडक्वार्टर्स सेलिटाइन एयर भारे 'अ',
भारतीय वायु सेना,
बम्बई

जांच प्रवालन 30 नवम्बर, 1979 तक अपनी जांच पूरी कर लेगी
और केन्द्रीय सरकार को अपनी रिपोर्ट प्रस्तुत कर देगी।

जांच प्रवालन का मुख्यालय बम्बई में होगा।

[फा० सं० ए० बी० 15013/15/79-ए)]

एस० एकाम्बरम, उप सचिव

MINISTRY OF TOURISM & CIVIL AVIATION

New Delhi, the 21st August, 1979

S.O. 3055—Whereas on 4th August, 1979 an Indan Airlines' HS-748 aircraft VT-DXI while operating scheduled flight IC-158, from Pune to Bombay, crashed near Bombay, resulting in the death of 45 persons (including 5 crew members) on board,

And whereas it appears to the Central Government that it is expedient to hold a formal investigation into the circumstances of the said accident,

Now, therefore, in exercise of the power conferred by rule 75 of the Aircraft Rules, 1937, the Central Government hereby directs that a formal investigation of the said accident be held.

The Central Government is further pleased to appoint Shri Justice D. M. Rege, Judge of the Bombay High Court, to hold the said investigation.

The Central Government is also pleased to appoint :—

- (1) Capt. V K. Hoseli, Deputy Operations Manager, Air India,
- (2) Shri J. C. Karnick, Retd, Regional Director, Civil Aviation Department,
- (3) Dr V P Kodali, Director, Department of Electronics,
- (4) Gr. Capt. M. S. Muthuswami, Headquarters Maritime Air Operations, Indian Air Force, Bombay,

to act as assessors to the said investigation

The Court of Inquiry will complete its inquiry and make its report to the Central Government by 30th November, 1979.

The headquarters of the Court of Inquiry will be at Bombay.

[F No Av 15013/15/79-A]

S EKAMBARAM, Dy. Secy

दिल्ली विकास प्राधिकरण

नई दिल्ली, 23 अगस्त, 1979

फा० डा० 3056—दिल्ली विकास अधिनियम, 1957 (1957 की सं० 61) का धारा 22 की उपधारा (4) की व्यवस्थाओं के अनुसरण में दिल्ली विकास प्राधिकरण ने दि० 26-6-78 से निम्नलिखित अनुसूची में वर्णित नजूल भूमि आ सरकार को आगे आकाश-

वाणी (अनुसंधान अभियन्ता कार्यालय) को टोबापुर पर इन्दुरी-राजेन्द्र नगर मार्ग से पहुँच मार्ग के निर्माण-हेतु हस्तांतरित करने के लिये चाहिए को इस शर्त पर कि मार्ग की चौड़ाई लगभग 3.66 मीटर से अधिक नहीं होगी, पर प्रतिस्थापित कर दिया है—

अनुसूची

साउथर्न रिज इस्टेट के खसरा सं० 422 मिन० में स्थित लगभग 209 वर्ग मीटर (215.33 वर्ग गज) भूमि का टुकड़ा जिसकी सीमाएं निम्नलिखित हैं

उत्तर में	आल इण्डिया रेडियो मार्ग
दक्षिण में	इन्दुरी मार्ग
पूर्व में	दि० वि० प्रा० क प्रवन्ध के अन्तर्गत नजूल भूमि
पश्चिम में	भारत इंडिय अनुसंधान न्यायन भूमि।

[न० एफ० 1(1)/79-समन्वय/आ० 149 1979]

हरा राम गोयल, सचिव

DELHI DEVELOPMENT AUTHORITY

New Delhi, the 23rd August, 1979

S.O. 3056.—In pursuance of provisions of sub-section (4) of section 22 of the Delhi Development Act, 1957 (Act 61 of 1957), the Delhi Development Authority has, with effect from 26th June 1978, replaced at the disposal of the Central Government the Nazul land described in the Schedule below, which is required by that Government for further transfer to the All India Radio (Office of the Research Engineer) for the construction of approach road connecting the Receiving Centre at Todapur with Inderpuri-Rayinder Nagar Road, subject to the condition that the width of the road shall not be more than 3.66 metres approximately

SCHEDULE

Piece of land measuring about 209 sq metres approximately (215.33 sq yds) situate at Southern Ridge Estate, bearing Khasra No. 422 Min and bounded as under :—

North :	All India Radio Road
South :	Inderpuri Road.
East :	Nazul land under management of DDA
West :	India Agricultural Research Institute Land

[No F 1(1)/79-Coord /Res 148-1973]

H R GOEL, Secy.

रेल मंत्रालय

(रेलवे बोर्ड)

नई दिल्ली, 17 अगस्त, 1979

फा० डा० 3057—संविधान के अनुच्छेद 309 के परस्पर द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए राष्ट्रपति एतद्वारा रेल कर्मचारी (अनुशासन एवं अपील) नियम, 1968 में और आगे संशोधन करने के लिए निम्नलिखित नियम आगते हैं, अर्थात्—

1. (1) ये नियम रेल कर्मचारी (अनुशासन एवं अपील) प्रथम संशोधन नियम, 1979 कहलायेंगे।

(2) ये सरकारी राजपत्र में प्रकाशन की तारीख को प्रवृत्त²¹ होंगे।

2. रेल कर्मचारी (अनुशासन एवं अपील) नियम, 1968 की अनु-सूची III में मव सं० 1 के सामने कालम 3 में उप शीर्ष "महा-प्रबन्धक, महानिदेशक एवं प्र० मा० सं० तथा मुख्य प्रशासनिक अधिकारी" के नीचे "और सहायक मंडल विक्रिस्ता अधिकारी" शब्दों को अंत में प्रस्तावित किया जावेगा ।"

[सं० ई० (डी एंड ए) 79 आर जी 6-26]

पी० एन० मोहिले, सचिव

MINISTRY OF RAILWAYS

(Railway Board)

New Delhi, the 17th August, 1979

S.O. 3057.—In exercise of the powers conferred by proviso to article 309 of the Constitution, the President hereby makes the following rules further to amend the Railway Servants (Discipline and Appeal) Rules, 1968 namely :—

1. (1) These rules may be called the Railway Servants (Discipline and Appeal) First amendment Rules, 1979.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In Schedule III to the Railway Servants (Discipline and Appeal) Rules, 1968 against item No. 1, in column 3, under the sub-heading General Managers, Director General R.D.S.O. and Chief Administrative Officers, the words "and Assistant Divisional Medical Officers" shall be inserted at the end.

[No. E(D&A)/79 RG 6-26]

P. N. MOHILE, Secy.

संचार मंत्रालय

(डाक तार बोर्ड)

नई दिल्ली, 31 अगस्त, 1979

का. मा. 3058.—स्थायी आदेश संख्या 627, दिनांक 8 मार्च, 1960 द्वारा लागू किए गए भारतीय तार नियम, 1951 के नियम 434 के खंड 3 के पैरा (क) के अनुसार डाक-तार महा-निदेशक ने चिंगावनम टेलीफोन क्षेत्र में दिनांक 16-9-79 से प्रमाणित दर प्रणाली लागू करने का निश्चय किया है ।

[संख्या 5-11/79- पी एच बी]

आर. सी. कटारिया, सहायक महानिदेशक (पी. एच. बी.)

MINISTRY OF COMMUNICATIONS

(P & T Board)

New Delhi, the 31st August, 1979

S.O. 3058.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General, P.O.s and Telegraphs, hereby specifies 16-9-79 as the date on which the Measured Rate System will be introduced in Chingavanam Telephone Exchange, Kerala Circle.

[No. 5-11/79-PHB]

R. C. KATARIA, Assistant Director General (PHB)

अम मंत्रालय

नई दिल्ली, 23 अगस्त, 1979

का० आ० 3059 :—केन्द्रीय सरकार ने कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 4 के खंड (ग) के अनुसरण में श्री पी० एस० हबीब मोहम्मद के स्थान पर श्री आर० के०

ए० सुब्रह्मण्य, अपर सचिव, भारत सरकार, अम मंत्रालय, नई दिल्ली को कर्मचारी राज्य बीमा निगम के सदस्य के रूप में नामनिर्दिष्ट किया है ;

प्रतः अम केन्द्रीय सरकार, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 4 के अनुसरण में, भारत सरकार के अम मंत्रालय की अधिसूचना संख्या का० आ० 1517 दिनांक 14 अप्रैल, 1976 में निम्नलिखित संशोधन करती है, अर्थात् :—

उक्त अधिसूचना में, "(केन्द्रीय सरकार द्वारा धारा 4 के खंड (ग) के अधीन नामनिर्दिष्ट)" शीर्षक के नीचे मव 5 के सामने की प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि रखी जायेगी, अर्थात् :—

"श्री आर० के० ए० सुब्रह्मण्य,

अपर सचिव,

भारत सरकार,

अम मंत्रालय, नई दिल्ली,"

[संख्या यू० 16012/14/76-एच० आई०]

MINISTRY OF LABOUR

New Delhi, the 23rd August, 1979

S.O. 3059.—Whereas the Central Government has, in pursuance of clause (c) of section 4 of the Employees' State Insurance Act, 1948 (34 of 1948) nominated Shri R. K. A. Subrahmanya, Additional Secretary to the Government of India, Ministry of Labour, New Delhi, as a member of the Employees' State Insurance Corporation, in place of Shri P. S. Habeeb Mohamed ;

Now, therefore, in pursuance of section 4 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Labour No. S.O. 1517, dated the 14th April, 1976, namely :—

In the said notification, under the heading "(Nominated by the Central Governments under clause (c) of section 4)", for the entry against item 5, the following entry shall be substituted, namely :—

"Shri R.K.A. Subrahmanya,

Additional Secretary to the Government of India,

Ministry of Labour, New Delhi.

[No. U-16012/14/78-HI]

नई दिल्ली, 24 अगस्त, 1979

का० आ० 3060 :—केन्द्रीय सरकार ने कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 8 के खंड (ख) के अनुसरण में श्री पी० एस० हबीब मोहम्मद के स्थान पर श्री आर० के० ए० सुब्रह्मण्य, अपर सचिव, भारत सरकार, अम मंत्रालय, नई दिल्ली को कर्मचारी राज्य बीमा निगम की स्थायी समिति के सदस्य के रूप में नामनिर्दिष्ट किया है ;

प्रतः अम केन्द्रीय सरकार, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 8 के अनुसरण में, भारत सरकार के अम

मंत्रालय की अधिसूचना संख्या का० प्रा० 477 (इ) तारीख 16 जुलाई, 1976 में निम्नलिखित संशोधन करती है, अर्थात् :—

उक्त अधिसूचना में, “(केन्द्रीय सरकार द्वारा धारा 8 के खंड (ख) के अधीन नामनिर्दिष्ट)” शीर्षक के नीचे मद 2 के सामने की प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि रखी जायेगी, अर्थात् :—

“श्री धार० कं० ए० सुब्रह्मण्य,
अपर सचिव,
भारत सरकार,
अथ मंत्रालय, नई दिल्ली।”

[संख्या यू०-16012/14/78-एच० आई०]

New Delhi, the 24th August, 1979

S.O. 3060.—Whereas the Central Government has, in pursuance of clause (b) of section 8 of the Employees' State Insurance Act, 1948 (34 of 1948) nominated Shri R.K.A. Subrahmanya, Additional Secretary to the Government of India, Ministry of Labour as a member of the Standing Committee of the Employees' State Insurance Corporation in place of Shri P. S. Habeeb Mohamed;

Now, therefore, in pursuance of section 8 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Labour No. S.O. 477 (E), dated the 16th July, 1976 namely :—

In the said notification, under the heading “(Nominated by the Central Government under clause (b) of section 8)” for the entry against item 2, the following entry shall be substituted namely :—

“Shri R. K. A. Subrahmanya,
Additional Secretary to the
Government of India,
Ministry of Labour,
New Delhi.”

[No. U-16012/14/78-HI]

नई दिल्ली, 27 अगस्त, 1979

का० प्रा० 3061.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स नाथम कोविल पेट्टी कोऑपरेटिव मिल्क सप्लाय सोसाइटी लिमिटेड नाथम पोस्ट, मेलूर तालुक, मयूर जिला, नामक स्थापन से संबंध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किये जाने चाहिये ;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है ।

यह अधिसूचना, 1 फरवरी, 1979 को प्रवृत्त हुई समझी जायेगी ।

[सं० एस० 35019/107/79-पी०एफ 21]

New Delhi, the 27th August, 1979

S.O. 3061.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Natham Kovil Patty Co-operative Milk Supply Society Limited, Natham Post, Melur Taluk, Madurai District have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of February, 1979.

[No. S. 35019/107/79-PF. II]

का० प्रा० 3062.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स इम्पीरियल रोडवेज (प्राइवेट) लिमिटेड, 29, त्रिवेंद्रम हाई रोड, पलायमकोट्टाई, तिरुनेलवेली-2 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किये जाने चाहिये ;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है ।

यह अधिसूचना 1 मार्च, 1976 को प्रवृत्त हुई समझी जायेगी ।

[सं० एस० 35019/110/79-पी०एफ 2]

S.O. 3062.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Imperial Roadways (Private) Limited, 29, Trivandrum High Road, Palayamkottai, Tirunelveli-2, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of March, 1976.

[No. S. 35019/110/89-PF-II]

का० प्रा० 3063.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स यूनाइटेड स्कूटर्स, गोलघर, गोरखपुर, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किये जाने चाहिये ;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है ।

यह अधिसूचना 1 अप्रैल, 1977 को प्रवृत्त हुई समझी जायेगी ।

[सं० एस० 35019/111/79-पी०एफ०-2(i)]

S.O. 3063.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs United Scooters, Golghar, Gorakhpur, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of April, 1977.

[No. S. 35019/111/79-PF. II(i)]

का० प्रा० 3064.—केन्द्रीय सरकार, कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 8 के प्रथम परन्तु के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, संबंध विषय में प्रावश्यक आज्ञा

करते के पश्चात् 1 अप्रैल, 1977 से मैसर्स युनाइटेड स्कूटर्स, गोलघर, गोरखपुर, नामक स्थापन को उक्त परन्तुक के प्रयोजनों के लिये विनिर्दिष्ट करती है।

[सं० एम० 35019/111/79-पी०एफ०-2(2)]

S.O. 3064.—In exercise of the powers conferred by the first proviso to section 6 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the first day of April, 1977 the establishment known as Messrs. United Scooters, Golghar, Gorakhpur, for the purposes of the said proviso.

[No. S. 35019/111/79-PF. II (ii)]

का०आ० 3065.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स उत्तर प्रदेश (पूर्व) गन्ना बीज एवं विकास निगम लिमिटेड, 4/1000, नयी कोलोनी, देवरिया, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किये जाने चाहिये;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 सितम्बर, 1978 को प्रवृत्त हुई समझी जायेगी।

[सं० एम० 35019/112/79-पी०एफ०-2(i)]

S.O. 3065.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Uttar Pradesh (Purva) Ganna Beej Evam Vikas Nigam Limited, 4/1000, New Colony, Deoria, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment.

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of September, 1978.

[No. S. 35019/112/79-PF. II (i)]

का०आ० 3066.—केन्द्रीय सरकार, कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, संबद्ध विषय में आवश्यक आ्ञ करने के पश्चात् 1 सितम्बर, 1976 से मैसर्स उत्तर प्रदेश (पूर्व) गन्ना बीज एवं विकास निगम लिमिटेड, 4/1000, नयी कोलोनी, देवरिया नामक स्थापन को उक्त परन्तुक के प्रयोजनों के लिये विनिर्दिष्ट करती है।

[सं० एम० 35019/112/79-पी०एफ० 2(2)]

S.O. 3066.—In exercise of the powers conferred by the first proviso to section 6 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the first day of September, 1976 the establishment known as Messrs. Uttar Pradesh (Purva) Ganna Beej Evam Vikas Nigam Limited 4/1000, New Colony, Deoria for the purposes of the said proviso.

[No. S. 35019/112/79-PF. II(ii)]

का०आ० 3067.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स एस जी सिस्फूरिटी सर्विस, 6-3-609/11-1, धानन्दनगर, खेरताबाद, हैदराबाद, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या

इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किये जाने चाहिये;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 अक्टूबर, 1978 को प्रवृत्त हुई समझी जायेगी।

[सं० एम० 35019/113/79-पी०एफ०-2]

S.O. 3067.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Essjee Security Service, 6-3-609/11-1, Anandnagar, Khairtabad, Hyderabad, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of October, 1978.

[No. S. 35019/113/79-PF. II]

का०आ० 3068.—केन्द्रीय सरकार, को यह प्रतीत होता है कि मैसर्स घाटो मैक सर्विसेज, न्यू कॉटन मार्केट, हुबली-20 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किये जाने चाहिये;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 नवम्बर, 1978, को प्रवृत्त हुई समझी जायेगी।

[सं० एम० 35019/114/79-पी०एफ०-2]

S.O. 3068.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Auto Mac Services, New Cotton Market, Hubli-20, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of November, 1978.

[No. S. 35019/114/79-PF. II]

का०आ० 3069.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स सिरियन होस्पिटल, संकेश्वर, बेलगाव, जिला, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किये जाने चाहिये;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 नवम्बर, 1978 को प्रवृत्त हुई समझी जायेगी।

[सं० एम० 35019/115/79-पी०एफ०-2]

S.O. 3069.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Syrian Hospital, Sankeshwar, Belgaum District, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of November, 1978.

[No. S. 35019/115/79-PF. II]

का०आ० 3070.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसेर्स श्री विजयलक्ष्मी नर्सिंग होम, कोठापेटा, गुंटूर, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किये जाने चाहिये;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 मार्च, 1979 को प्रवृत्त हुई समझी जायेगी।

[सं० एस० 35019/116/79-पी०एफ०-2]

S.O. 3070.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Sri Vijayalakshmi Nursing Home, Kothapeta, Guntur, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of March, 1979.

[No. S. 35019/116/79-PF. II]

का०आ० 3071.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसेर्स रॉक फोर्ट एसबेस्टोस मजालमियापुरम, तिरुची जिला, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किये जाने चाहिये;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 जून, 1975 को प्रवृत्त हुई समझी जायेगी।

[सं० एस०-35019/117/79-पी०एफ०-2(i)]

S.O. 3071.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Rock Fort Asbestos, Dalmiapuram, Tiruchy District, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of June, 1975.

[No. S. 35019/117/79-PF. II(i)]

का०आ० 3072.—केन्द्रीय सरकार, कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, संबद्ध विषय में आवश्यक जांच करने के पश्चात्, 1 जून, 1975 से मैसेर्स रॉक फोर्ट एसबेस्टोस, डालमियापुरम, तिरुची जिला, नामक स्थापन को उक्त परन्तुक के प्रयोजनों के निम्ने विनिर्दिष्ट करती है।

[का०सं० एस०-35019/117/79-पी०एफ०-2(ii)]

S.O. 3072.—In exercise of the powers conferred by the first proviso to section 6 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the first day of June, 1975 the establishment known as Messrs, Rock day of Asbestos, Dalmiapuram, Tiruchy District, for the purposes of the said proviso.

[No. S. 35019/117/79-PF. II(ii)]

का०आ० 3073.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसेर्स दार्मलिंगम सिल्क सेंटर, 2ए०, सुन्दरा मुदली स्ट्रीट, अर्नी-632301, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है, कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किये जाने चाहिये;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 अप्रैल, 1976 को प्रवृत्त हुई समझी जायेगी।

[सं० एस०-35019/118/79-पी०एफ०-2]

S.O. 3073.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Darmalingam Silk Centre, 2A, Sundara Mudali Street, Arni-632301, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of April, 1976.

[No. S. 35019/118/79-PF. II]

का०आ० 3074.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसेर्स हैदराबाद कनेक्ट्रोनीज लिमिटेड, रजिस्टर्ड कार्यालय 1-2-412/21, गगन महल रोड, डोमालगुडा, हैदराबाद-29 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या पर इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किये जाने चाहिये;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 जनवरी, 1979 को प्रवृत्त हुई समझी जायेगी।

[सं० एस०-35019/119/79-पी०एफ०-2]

S.O. 3074.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Hyderabad Conectronics Limited, Registered Office 1-2-412/21, Gagan Mahal

Road, Domalguda, Hyderabad-29 have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of January, 1979.

[No. S. 35019(119)/79-PF. II]

का० प्रा० 3075 :—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स डर्मालिंगम सिल्क हाउस, 2A सुन्दरा मुदली स्ट्रीट, अर्नी-632301, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किये जाने चाहिये;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 अप्रैल, 1976 को प्रवृत्त हुई समझी जायेगी।

[सं० एम०-35019/121/79-पी०एफ०-2]

S.O. 3075.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Darmalingam Silk House, 2A Sundara Mudali Street, Arni-632301, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provision of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of April, 1976.

[No. S. 35019(121)/79-PF-II]

का० प्रा० 3076 :—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स एरासन मशीनरी सर्विस, 10ई/2, त्रिवेन्द्रम हाई रोड, पलायमकोट्टाई, तिरुनेलवेली-2, नाम स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि, और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिये;

अतः, अब उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 फरवरी, 1978 को प्रवृत्त हुई समझी जाएगी।

[सं० एम० 35019/122/78-पी० एफ० 2(i)]

S.O. 3076.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Arasan Machinery Service, 10E/2, Trivandrum High Road, Palayamkottai, Tirunelveli-2, have agreed that the provisions of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

536 GI/79-5.

This notification shall be deemed to have come into force on the first day of February, 1978.

[No. S. 35019(122)/79-PF-II(ii)]

का० प्रा० 3077 :—केन्द्रीय सरकार, कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, संबंध विषय में आवश्यक जांच करने के पश्चात् 1 फरवरी, 1978 से मैसर्स एरासन मशीनरी सर्विस 10ई/2, त्रिवेन्द्रम हाई रोड, पलायमकोट्टाई तिरुनेलवेली-2 नामक स्थापन को उक्त परन्तुक के प्रयोजनों के लिए विनिर्दिष्ट करती है।

[का० सं० 35019/122/79-पी०एफ० 2(ii)]

S.O. 3077.—In exercise of the powers conferred by the first proviso to section 6 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the first day of February, 1978 the establishment known as Messrs Arasan Machinery Service, 10E/2, Trivandrum High Road, Palayamkottai, Tirunelveli-2 for the purposes of the said proviso.

[No. S. 35019(122)/79-PF-II(ii)]

का० प्रा० 3078 :—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स वीरावनाल्लूर मैट वीवर्स इण्डस्ट्रियल कोओपरेटिव सोसाइटी लिमिटेड, सं० ओ० 1808, वीरावनाल्लूर, तिरुनेलवेली जिला, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिये;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 अप्रैल, 1976 को प्रवृत्त हुई समझी जाएगी।

[सं० एम० 35019/123/79 पी० एफ० 2(i)]

S.O. 3078.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Viravanallur Mat Weavers' Industrial Co-operative Society Limited, No. O. 1808, Viravanallur, Tirunelveli District, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of April, 1976.

[No. S. 35019(123)/79-PF-II(i)]

का० प्रा० 3079 :—केन्द्रीय सरकार, कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, संबंध विषय में आवश्यक जांच करने के पश्चात् 1 अप्रैल, 1976 से मैसर्स वीरावनाल्लूर मैट वीवर्स इण्डस्ट्रियल कोओपरेटिव सोसाइटी लिमिटेड सं० ओ० 1808, वीरावनाल्लूर, तिरुनेलवेली जिला, नामक स्थापन को उक्त परन्तुक के प्रयोजनों के लिए विनिर्दिष्ट करती है।

[का० सं० एम०-35019(123)/79 पी०एफ० 2(ii)]

S.O. 3079.—In exercise of the powers conferred by the first proviso to section 6 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the first day of

April, 1976 the establishment known as Messrs Viravanallur Mat Weavers' Industrial Co-operative Society Limited, No. O. 1808, Viravanallur, Tirunelveli District, for the purposes of the said proviso.

[No. S. 35019(123)/79-PF-II(ii)]

का० आ० 3080.—केन्द्रीय सरकार को यह प्रतीत होता है कि मिसर्स श्री सत्यमूर्ति ट्रान्स्पोर्ट कंपनी, 47, पालाथोरम स्ट्रीट, कोटपडी रोड, वेल्लोर, उत्तरी आर्कोट, नाम स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 जनवरी, 1978 को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35019/126/79-पी० एफ० 2]

S.O. 3080.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Sri Sathyamoorthy Transport Company, 47, Palathoram Street, Katpadi Road, Vellore, North Arcot, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of January, 1978.

[No. S. 35019/126/79-PF. II]

का० आ० 3081.—केन्द्रीय सरकार को यह प्रतीत होता है कि मिसर्स चिन्तामणि प्रेस, तीरुनेलवेली-3, नाम स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिये;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 दिसम्बर, 1978 को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35019/135/79-पी० एफ० 2]

S.O. 3081.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Chinthamani Press, Tirunelveli-3, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of December, 1978.

[No S. 35019/135/79-PF. II]

का० आ० 3082.—केन्द्रीय सरकार को यह प्रतीत होता है कि मिसर्स मृताकाना एंड कंपनी, 290 थेप्पल साउथ विरुधनगर डाक घर, जिसके अन्तर्गत (1) 23, माउथ राजास्ट्रीट, तुत्तिकोरिन, (2) 7, बेंगलाकोटाई

स्ट्रीट मद्रास और (3) 191, एवनपिल्लई स्ट्रीट मद्रास, स्थित उसकी शाखा भी है, नाम स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिये;

अतः, अब उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 मार्च, 1977 को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35019/136/79-पी० एफ० 2]

S.O. 3082.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Munakana and Company, 290, Theppan South Virudhunagar Post Office, including its branches at (i) 23, South Raja Street, Tuticorin, (2) 7, Vengulakodai Street Madurai and (3) 191, Avanapillai Street, Madras, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of March, 1977.

[No. S. 35019/136/79-PF-II]

का० आ० 3083.—केन्द्रीय सरकार को यह प्रतीत होता है कि मिसर्स देववरनी क्लॉथ स्टोर, क्लॉथ मर्चेन्ट, दक्षिण राधीनामाबायाथाईपुरम स्ट्रीट जिसके अन्तर्गत दवारापुडी पोस्ट, पूर्व गोदावरी जिला आन्ध्र प्रदेश स्थित उसकी शाखा भी है। नाम स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 मार्च, 1977 को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35019/138/79-पी० एफ० 2]

S.O. 3083.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Deivayani Cloth Store, Cloth Merchant, South Rathinasabapathypuram Street, Arupukottai including its branch at Dwarapudi Post, East Godhavari District, Andhra Pradesh, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of March, 1977.

[No. S. 35019/138/79-PF. II]

का० आ० 3084.—केन्द्रीय सरकार को यह प्रतीत होता है कि मिसर्स वेजिटेरियन रिजिसेट रूम, विश्वनगर, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी

भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिये;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 अप्रैल, 1977 को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35019/141/79-पी०एफ० 2]

S.O. 3084.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Vegetarian Refreshment Room, Virudhunagar, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of April, 1977.

[No. S. 35019/141/79-PF. II]

का० आ० 3085.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसेर्स वि हिन्द मैचेस लिमिटेड, "एफ" यूनिट, मल्लनकीनर, विरुधुनगर के निकट, नाम स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिये;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 फरवरी, 1977 को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35019/145/279-पी०एफ०]

S.O. 3085.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs The Hind Matches Limited, 'F' Unit, Mallankinar Near Virudhunagar, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act, to the said establishment.

This notification shall be deemed to have come into force on the first day of February, 1977.

[No. S. 35019/145/79-PF. II]

का० आ० 3086.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसेर्स तमिल नाडु इंजीनियरिंग इण्डस्ट्रीज, 58, मो०बी० रोड, मद्रास-21, नाम स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिये;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 अगस्त, 1977 को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35019/150/79-पी०एफ० 2]

S.O. 3086.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Tamil Nadu Engineering Industries, 58, G. B. Road, Madras-21, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of August, 1977.

[No. S. 35019/150/79-PF. II]

का० आ० 3087.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसेर्स एस० आर० ऑफसेट आर्ट प्रिंटेर्स, नं० 10 एम० सी० रोड, मद्रास-21 नाम स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिये;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 अगस्त 1977 को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35019/151/79-पी०एफ० 2]

S.O. 3087.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs S. R. Offset Art Printers, No. 10, M. C. Road, Madras-21, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of August, 1977.

[No. S. 35019/151/79-PF. II]

का० आ० 3088.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसेर्स श्रीधर सिल्क हाउस, 91क, सन्नाधी स्ट्रीट, तीरुबुवनम, कुम्बाकोणम तालुक, नाम स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिये;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 मार्च, 1976 को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35019/157/79-पी०एफ० 2]

S.O. 3088.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Sridhar Silk House, 91-A, Sannadhi Street, Thirubuvanam, Kumbakonam Taluk, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of March, 1976.

[No. S. 35019/157/79-PF. II]

का० घा० 3089.—पश्चिम बंगाल राज्य सरकार ने कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 10 की उपधारा (1) के खण्ड (घ) के अनुसरण में डा० जे० बी० मुखर्जी के स्थान पर श्रीमती भार० घोष, निदेशक, कर्मचारी राज्य बीमा (चिकित्सा लाभ) योजना, पश्चिम बंगाल सरकार, को चिकित्सा प्रसुविधा परिषद में उस राज्य से प्रतिनिधित्व करने के लिए नाम-निर्दिष्ट किया है,

अतः, अब केन्द्रीय सरकार कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 10 की उपधारा (1) के अनुसरण में, भारत सरकार के धर्म मंत्रालय की अधिसूचना संख्या का० घा० 2980 दिनांक 26 जुलाई, 1976 में निम्नलिखित संशोधन करती है, अर्थात् —

उक्त अधिसूचना में “संबन्धित राज्य सरकारों द्वारा धारा 10 की उपधारा (1) के खण्ड (घ) के अधीन नामनिर्दिष्ट”, शीर्षक के नीचे मद 23 के सामने की प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात् :—

“श्रीमती भार० घोष,

निदेशक, कर्मचारी (राज्य बीमा चिकित्सालय) लाभ योजना
पश्चिम बंगाल सरकार
कलकत्ता”।

[सं० यू०-16012/10/77-एच० आई०]

S.O. 3089.—Whereas the State Government of West Bengal has, in pursuance of clause (d) of sub-section (1) of section 10 of the employees' State Insurance Act, 1948 (34 of 1948) nominated Shrimati R. Ghosh, Director, Employees' State Insurance (Medical Benefit) Scheme, Government of West Bengal to represent that State on the Medical Benefit Council in place of Dr. J. B. Mukherjee;

Now, therefore, in pursuance of sub-section (1) of section 10 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Labour No. S.O. 2980, dated the 26th July, 1976 namely :—

In the said notification, under the heading “nominated by the State Governments concerned under clause (d) of sub-section (1) of section 10” for the entry against item 23, the following entry shall be substituted, namely :—

“Smt. R. Ghosh, Director,
Employees' State Insurance (Medical Benefit) Scheme,
Government of West Bengal,
Calcutta.”

[No. U-16012(10)/77-H.I.]

नई दिल्ली, 29 अगस्त, 1979

का० घा० 3090.—केन्द्रीय सरकार, कर्मकार प्रतिकार अधिनियम 1923 (1923 का 8) की धारा 3 की उपधारा (2) के अनुसरण में विनिर्दिष्ट करती है कि निम्नलिखित सारणी के स्तम्भ (1) में विनिर्दिष्ट रोगों के संबंध में किसी कर्मकार को जब वह उस सारणी के स्तम्भ (2) में तत्संबंधी प्रविष्टि में विनिर्दिष्ट किसी नियोजन में एक या अधिक नियोजकों की सेवा में हो ऐसी निरन्तर अवधि के लिए नियोजित होना चाहिए जैसी उसके स्तम्भ 3 में प्रत्येक के सामने विनिर्दिष्ट है :—

सारणी

रोग	नियोजन	अवधि
(1)	(2)	(3)
ब्रिसिनोसिस (फुफुसकापसता)	किसी भी ऐसे कक्ष में कोई नियोजन जहाँ कांडिंग प्रक्रिया तक की जिसमें वह प्रक्रिया सम्मिलित है कोई	सात वर्ष

(1)

(2)

(3)

प्रक्रिया उन कारखानों में निष्पादित होती है जिनमें कच्ची या रही कपास या सन (फ्लैक्स) की कटाई या उस का हस्तकार्य किया जाता हो।

“फार्मर्स लंग”—फुफुसी रोग जो फफूंदी वाली घास या अन्य फफूंदी वाले वनस्पति उत्पाद की धूल के अभिस्रवण से हो जाते हैं और जिनके चिन्ह और लक्षण वे होते हैं जो घास या अन्य फफूंदी वाले परासीय भाग में की प्रतिक्रिया से हुए माने जा सकते हैं तथा जिनसे गैस आवाहन-प्रदान पद्धति में नुक़्त हो जाता है।

म्यूकोनियोसिस

कोई भी नियोजन परन्तु तब जब कि उस रोग का निदान और पुष्टि-करण सक्षम चिकित्सा प्राधिकारी द्वारा किया गया हो।

[का० संख्या एस-37012/2/76-एच० आई०]

New Delhi the 29th August, 1979

S.O. 3090.—In pursuance of sub-section (2) of Section 3 of the Workmen's Compensation Act, 1923 (8 of 1923) the Central Government hereby specifies that, in relation to the diseases specified in column (1) of the Table below, a workman while in the service of one of more employers in any employment specified in the corresponding entry in column (2) of that Table should have been employed for such continuous period as is specified against each in column (3) thereof:—

TABLE

Disease	Employment	Period
(1)	(2)	(3)
Byssinosis	Any employment in any room where any process upto and including the carding process is performed in factories in which the spinning or manipulation of raw or waste cotton or of flax is carried on.	7 years.
Farmer's Lungpulmonary disease due to the inhalation of the dust of mouldy hay or of either mouldy vegetable produce, and characterised	Any occupation involving exposure to the dust of mouldy hay or vegetable produce by reason of employment:	Six months.

(1)	(2)	(3)	AND
by signs and symptoms attributable to a reaction in the peripheral part of the broncho pulmonary system, and giving rise to a defect in gas exchange.	(a) in agriculture, horticulture or forestry; or (b) loading or unloading or handling in storage of hay or other vegetable produce; or (c) handling bagasse.		Their workman. Appearances : For Employers —Shri T. P. Chaudhury, Advocate. For workman. —Absent.
Pneumoconiosis	Any employment, provided that the condition is diagnosed and confirmed by the competent medical authority.	7 years.	INDUSTRY COAL STATE BIHAR Dhanbad, the 7th August, 1979 AWARD The Government of India, in the Ministry of Labour in exercise of the powers conferred upon them under Section 10(1) (d) of the Industrial Disputes Act 14 of 1947 have referred the following Industrial Disputes to this Tribunal for adjudication :— “Whether the action of the Management of Bachra Colliery of Central Coalfields Limited, Post Office Bachra, District Hazaribagh in terminating the services of Shri Sarjoo Baitha, Driller, is justified? If not, to what relief is the said workman entitled?”.

[No. S-37012/2/76-HI]

का० प्रा० 3091.—केन्द्रीय सरकार, कोयला खान भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1948 (1948 का 46) की धारा 9 की उपधारा (2) के अनुसरण में और भारत सरकार के श्रम मंत्रालय की अधिसूचना सं० का० प्रा० 4117, तारीख 11 अक्टूबर, 1976 को अधिकांत करते हुए, श्री डी० के० सिन्हा, कोयला खान भविष्य निधि आयुक्त धनबाद, को 4 जून, 1979 (अपराह्न) से उक्त उपधारा के प्रयोजनों के लिए प्राधिकारी के रूप में बिनविशेष करती है।

[सं० ए/12012/6/78-पी० एफ 1 (II)]

हंस राज छाबड़ा, उप सचिव

S.O. 3091.—In pursuance of sub-section (2) of section 9 of the Coal Mines Provident Fund and Miscellaneous Provisions Act, 1948 (46 of 1948) and in supersession of the notification of the Government of India, in the Ministry of Labour No S.O. 4117, dated the 11th October, 1976, the Central Government hereby specifies, with effect from the 4th June, 1979 (afternoon) Shri D. K. Sinha, Coal Mines Provident Fund Commissioner, Dhanbad as the authority for the purposes of the said sub-section.

[No. A/12012(6)/78-PF I(ii)]

HANS RAJ CHHABRA, Dy. Secy.

New Delhi, the 23rd August, 1979

S.O. 3092.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 3, Dhanbad in the industrial dispute between the employers in relation to the management of Bachra Colliery of Central Coalfields Limited, Post Office Bachra, District Hazaribagh and their workman, which was received by the Central Government on the 18th August, 1979.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT NO. 3. DHANBAD

REFERENCE NO. 2 OF 1978.

PRESENT :

Shri P. Ramakrishna,
Presiding Officer.

PARTIES :

Employers in relation to the management of Bachra Colliery of Central Coalfields Limited, Post Office Bachra, District Hazaribagh.

The reference was received on 13-1-78 and notices were directed to be issued to both the parties for appearance on 3-2-78. The Workman herein received the said notice of 21-1-78 but remained absent. The matter was adjourned to 10-3-78. On 10-3-78 also the workman did not appear. The management filed their written statement. The Court directs peremptory notice of hearing to issue to the workman for 10-4-78 during its sittings at Hazaribagh. The workman received the notice on 13-4-78 but the Court did not hold its sitting at Hazaribagh on 10-4-78. Instead the Court issued a further notice to the workman calling upon him to appear at Dhanbad for the hearing date 14-4-78. This notice also the workman received on 13-4-78. From 14-4-78 to 31-3-79 there was no Presiding Officer working. On 31-3-79 this Court directed a notice to be issued to the workman for his appearance on 18-4-79 which notice was duly served on the workman. But he did not appear on that hearing date. A further notice was directed to be issued to the workman for the hearing date 7-5-79. The said notice was duly served on the workman. But he did not appear. The matter was adjourned from 6-6-79 to 3-7-79. A petition was received from the applicant under date 15-5-79, the contents of which have no relevance to the case on hand. Another notice was issued to the workman for the hearing date 7-8-79 which was also received by the workman. In reply to that he sent another memo dated 27-7-79 saying he has got some oral and documentary evidence to lead and if the Court so directed him, he is prepared to produce the same. On the hearing date 7-8-79 the workman is again absent.

Though ample opportunity has been given to the workman to file his statement of claim he failed to do so. In circumstances this reference has to be closed for non-prosecution.

Shri Choudhury for the management also submitted the workman has since drawn his gratuity and other settlement dues submitting himself to this order of termination of service. His son is also provided with a job under this management after the termination of his service. He submits that in all probability the workman is not interested in prosecuting this case.

For the aforesaid reasons this reference is answered against the workman for non-prosecution.

P. RAMAKRISHNA, Presiding Officer.

[No. L-20012/117/77-D.III(A)]

S.O. 3093.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 1, Dhanbad in the industrial dispute between the employers in relation to the management of Mandman Colliery of Messrs Eastern Coalfields Limited, Post Office Nirsachatti, District Dhanbad and their workmen, which was received by the Central Government on the 18th August, 1979.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL NO. 1, DHANBAD.

In the matter of a reference under Sec. 10(1)(d) of
the Industrial Disputes Act, 1947.

Reference No. 44 of 1978

PARTIES :

Employers in relation to the management of Mandman
Colliery of Messrs Eastern Coalfields Limited.

Post Office Nirsachatti, District Dhanbad,

AND

Their Workmen.

Present :

Shri S. N. Johsi, B. Sc., LL., M., Presiding Officer.

Appearances :

For the Employers—Shri T. P. Choudhury, Advocate.

For the Workmen—Shri D. Mukherjee, Advocate.

State : Bihar—Industry : Coal.

Jabalpur, dated, the 9th August, 1979.

AWARD

This is a reference made by the Government of India
in the Ministry of Labour vide its Order No. L-20012/137/78-
D.III(A), dated, the 20th November, 1978, for the adjudica-
tion of the following industrial dispute :

“Whether the demand of the workmen of Mandman
Colliery of Messrs Eastern Coalfields Limited,

Post Office Nirsachatti, District Dhanbad that Shri
N. K. Hore, Despatch Clerk should be paid wages
from 7th March, 1976 to 15th November, 1977,
is justified? If not, to what relief is the said work-
man entitled?

2. Jwala Singh, Contractor brick manufacturer in the
colliery area had been granted permit to lift 70 tonnes of
slack coal for the purpose of brick manufacturing. On
1-3-76 trucks No. BRP 1032 and BHR 8023 came to Mand-
man Colliery with necessary papers for lifting the slack coal
for Jwala Singh. Sri H. K. Hore was incharge of the Despatch
Section. After being loaded the trucks went to the weigh-
bridge. Gate pass was issued because weighbridge was about
a mile away outside the gate. They were expected to return
back with weighment slip so that proper entries could be
made about the weight of the coal lifted on them and then
they could have left the colliery premises. They however
did not return back from the weigh-bridge. At about 8.00 P.M.
Sri N. K. Hore went off the duty and handed over charge
to Sri B. R. Rathore.

3. From the weigh-bridge the trucks made their escape
BHR 8023 could not be chased and located but the other
BRP 1032 was chased and caught near Topchachi in the
night between 1 and 2 March 1976. Next morning on 2-3-76
when Sri N. K. Hore returned to his duty at 8.00 a.m.,
he asked Sri B. R. Rathore and was informed that those two
trucks had not returned from weighbridge. At about 11.00
a.m. Sri Rathore informed the Manager of that fact.

4. On 6-3-76 vide Fxt. M-1 Sri N. K. Hore was charge-
sheeted for the misconduct of (1) Theft, fraud or dishonesty
in connection with employers business or property; (2)
Causing willful damage to work in progress or to property
of the employers; (3) Taking illegal gratification for his
own interest under Paras 17(a), (i), (b) of the Model
Standing Orders for coal mining industry. Sri N. K. Hore
gave the reply and after recording evidence the Enquiry
Officer submitted a report, finding Sri Hore guilty of the
charges. The report was accepted by the punishing Authority
and Sri Hore was dismissed from services as a measure of
punishment.

5. The union raised a dispute before the management
and then before the Conciliation Officer. Simultaneously a
representation was addressed to the Managing Director for
re-considering the matter alleging that the dismissal was
wholly unjustified. The Additional Chief Personnel Officer
vide letter No BCL/CMD/CE(UN, 13)/6149 dated 15-11-1977
conveyed to the Asstt. Chief Personnel Mugma Area that, the
Chairman-cum-Managing Director had been pleased to order
re-instatement of Shri N. K. Hore, dismissed Despatch Clerk
of Mandman Colliery, with immediate effect without payment
of any back wages. The period of his idleness was ordered to
be treated as leave without pay. He was ordered to be
allowed to join at Mandman Colliery.

6. Consequently Sri N. K. Hore joined back the duty
that very day. However through union the present dispute
was raised about the wages for the said said idle period between
7-3-76 the date on which the chargesheet was served, and
15-11-77 the date on which he was re-instated.

7. The case turns upon the validity and propriety of the
order of dismissal which was so revised by the Managing
Director. According to the union the enquiry was not fair
and proper. Opportunity to defend was not allowed. Principles
of natural justice were not observed. The dismissal was ille-
gal and unjustified. It was an act of victimisation because Sri
N. K. Hore was an office bearer of the union. It was because
of these infirmities, that the management realised the weak-
ness of its stand before conciliation Officer, and agreed to
revise the order and consequently the Managing Director
ordered reinstatement. In fact no mis-conduct was proved
against Sri Hore as he had committed none and therefore the
Managing Director was not justified in ordering that Sri Hore
will not be entitled to any payment of wages for the whole
period in dispute.

8. The management has denied all the allegations against
the legality and propriety of the enquiry and proper oppor-
tunity to defend. The charge was fully established against
the delinquent and the order of dismissal was fully justified.
It is said that the Chairman-cum-Managing Director ordered
re-instatement on compassionate ground on a mercy appeal
submitted on behalf of Shri Hore alleging that it was one
of the excesses of emergency. After accepting the terms of
reinstatement order it did not lie in the mouth of Sri Hore
or the union to raise the present dispute about back wages for
the idle period. They are estopped from doing so. The contro-
versy has been raised about the authenticity of the union
which raised the dispute.

9. The enquiry papers were admitted as formally prov-
ed. The management examined Sri Y. M. Prasad and Union
examined Sri H. K. Hore and closed the case.

10. I have gone through the domestic enquiry proceedings
and record of the evidence made by the Enquiry Officer as
well as through the report of guilt submitted by him. There
is no direct evidence about the involvement of Sri N. K. Hore
in the affair. The conclusions of the Enquiry Officer are based
on presumptions and inferences. Sri Hore omitted to make
complete entries and reported the fact to escape of the two
trucks often considerable delay when one of the trucks had
already been caught. From this conduct the enquiry officer
raised the presumption of complicity of Sri Hore in the
crime.

11. There is no rebuttal to the evidence of Sri N. K. Hore
WW-1 that the gate pass had to be issued for the truck to go
to the weigh-bridge after lifting the coal because the
weighbridge is situated outside the gate about one mile away
from it. Sri Jwala Singh had admittedly sanction for the issue
of 70 tonnes of slack coal and he was entitled to lift the
same through these trucks. Papers submitted by the trucks
were in order. Once the trucks left the premises, they were
free to go away from the weighbridge without coming back
to the Despatch Clerk, they could hardly be therefore control-
led by the Despatch Clerk. He is not expected to chase them
if the trucks instead of being taken to the brick kiln were
diverted to some other place. No presumption or inference
of guilt or connivance could be raised against Sri N. K. Hore
merely because he left the duty at the end of the shift at
about 8.00 p.m. or left the entries incomplete or was delayed
by about 3 hours in reporting the matter to the Manager.
There was no question of suppression of fact which was

already known to the officers by that time. Thus even if whole evidence recorded by the Enquiry Officer is believed no case can be said to have been made out against the delinquent employee Sri N. K. Hore.

11. Sri Jwala Singh had a valid permit for lifting the slack coal. His trucks were armed with valid papers. The lifting of the coal was thus not an act of theft. Despatcher could not obstruct coal lifting. As soon as the coal was lifted in the trucks on the basis of valid sanction, the coal became the property of Sri Jwala Singh. Under the contract Sri Jwala Singh was to use the coal, so lifted, in the process of brick manufacturing within the colliery premises. He diverted the trucks to other places which was in fact a breach of the terms of contract. Diversion of the truck was an act of Sri Jwala Singh with which Sri N. K. Hore was not connected as a Despatch Clerk. There is nothing to show that without some active involvement of Sri Hore, Sri Jwala Singh could not have so diverted the trucks or that the trucks could not have been so diverted without the active support of Sri N. K. Hore. The pass which Sri N. K. Hore prepared according to him contained a clear endorsement that the coal was lifted by Sri Jwala Singh for his brick kiln in colliery premises. It is obvious from the circumstances as well, because had it not been so, it would have been impossible for the industrial police to chase and seize the truck. No charge can therefore be said to have been made out against Sri Hore even if all the evidence, recorded by the Enquiry Officer is believed. The presumptions and inferences drawn by him were unwarranted. Thus the report and findings of the Enquiry Officer were perverse and the punishment based on them was wholly unjustified.

12. With respect to charge (1) there was neither theft nor fraud nor dishonesty in connection with employer's business. It was a simple case of breach of contract or at the most breach of trust committed by Jwala Singh. Sri Hore was not an accomplice. As far as charge (2) is concerned to Sri Hore did not cause willful damage to work in progress or to the property of the employer. The third charge relates to illegal gratification. On this point also there is no evidence. Thus even if all evidence is believed no charge can be said to be made out against Sri Hore. It is perhaps in the back ground of this situation that the Managing Director ordered reinstatement before the conclusion of the conciliation proceedings. Even if his order was based on compassionate grounds, the charged misconduct was not established and punishment was wholly unjustified.

13. Mere rejoining the duty under the aforesaid order of reinstatement which contained a clause that Sri Hore would not be entitled to back wages for the idle period will not amount to acceptance of that condition and will not operate as estoppel against the person who was facing unemployment. Theory of estoppel does not apply to industrial adjudication in such circumstances. There is no justification for withholding back wages for the said idle period.

14. It is, therefore, held that the findings of the Enquiry Officer were perverse. Punishment of dismissal was wholly unjustified and therefore Sri N. K. Hore is entitled to full wages for the said idle period. The reference is answered accordingly.

S. N. JOHRI, Presiding Officer
[No. L-20012/137, 78-D.III(A)]

S.O. 3094.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 1, Dhanbad in the industrial dispute between the employers in relation to the management of Badjina Colliery of Eastern Coalfields Limited, Post Office Nirsha, District Dhanbad and their workmen, which was received by the Central Government on the 18th August, 1979.

**BEFORE THE CENTRAL GOVERNMENT TRIBUNAL
NO. 1, DHANBAD**

In the matter of a reference under Sec. 10(1)(d) of the Industrial Disputes Act, 1947.

Reference No. 20 of 1978

PARTIES :

Employers in relation to the management of Badjina Colliery of Eastern Coalfields Limited, Post Office Nirsha, District Dhanbad.

AND

Their Workmen.

PRESENT :

Shri S. N. Johri B.Sc. I.L.M., Presiding Officer

APPEARANCES :

For the Employers;—Shri T. P. Choudhury, Advocate.

For the Workmen—Shri D. Mukherjee, Advocate.

STATE : Bihar

INDUSTRY : Coal

Jabalpur, dated, the 10th August, 1979.

AWARD

This is a reference made by the Government of India in the Ministry of Labour vide its Order No. L-20012/62/78-D.III(A), dated, the 9th August, 1978, for the adjudication of the following industrial dispute :

"Whether the demand of the workmen of Badjina Colliery of Eastern Coalfields Limited, Post Office Nirsha, District Dhanbad, for employment of Shri Shankar Koiri, Underground Loader, is justified. If not, to what relief is the said workman entitled and from what date?"

2. It is now not disputed that the worker's of Badjina Colliery went on strike on 16-1-74. The management declared lock out as a consequence, which lock out was lifted on 15-2-74. Meanwhile there was police action and many of the workers left the colliery as well as colony premises and went to their home. Sri Shankar Koiri, a permanent Underground Loader, did not join the duty even after lifting of the lock out and ultimately treating it as voluntary abandonment his name was struck off from the rolls.

3. The case of the management is that the lock out was lifted in pursuance of an agreement with the union and the workers are expected to join back their duties within 10 days. It is said that it was for the union to inform individual workers. Management notified on the colliery Notice Board asking the workers to join their duties. Sri Shankar Koiri still did not join even till June, 1974. A notice was therefore served personally on him on 4-6-74 that he should report within 48 hours and explain his long un-authorised absence otherwise an ex parte enquiry will be held against him and he will be liable to be dismissed. Since he did not turn up even after service of that notice, abandonment was presumed and his name was struck off from the rolls. He did not raise any demand with the management but the union went directly to the A. L. C. and the management came to know about it only when the A. L. C. sent a notice to it. The management has further alleged that the workman himself is not sure about the date of retrenchment which in the demand before the A. L. C. was shown as August, 1974.

4. The case of the union is that Sri Koiri went to his village because the police and the goondas of the management had unleashed reign of terror in the colliery premises and the residential colony areas. He sent an application for leave and application for extension of the same. Even a reply to the notice dated 4-6-74 was submitted the very next day when he submitted his joining report but the management did not allow him to join the duty. He was victimised for his trade union activities.

5. Management's case is that as written in notice Ext. M-6, Sri Shankar Koiri had not joined his duty since 15-1-74 till atleast 4-6-74, even after the lifting of the lock out.

It is again the case of the management that Sri Shankar Koiri did not join the duty even after that notice hence his name was struck off from the rolls. Neither side has pleaded that Sri Shankar Koiri ever came back in employment before August 1974. The management has purposely avoided to give the actual date on which the name of Sri Koiri was struck off from the rolls. There is neither allegation nor evidence to show that his name was not struck off from the rolls in August 1974. May be that the management might have actually struck off his name from the rolls in August 1974 even when the notice had been served in June 1974. Many time in office ministerial delay continues to drag and delay certain actions. It was for the management to specifically plead and to prove the date on which the name of Sri Shankar Koiri was struck off from the rolls if it wanted to belie the statement of fact made by the union in Ext. M-12 giving the date of retrenchment of Sri Shankar Koiri as August 1974. The management was in possession of that documents when it filed the written statement and it was within the special knowledge of the management as to when the actual termination took place. When no such attempt to contradict the alleged date of retrenchment is made by the management it shall be presumed that the date so mentioned in Ext. M-12 is precisely correct. The management's argument against its correctness is therefore not tenable.

6. It is argued that as per record note of discussion Ext. M-4, union official, mining sirdars, wagon loading sirdars and other workmen present at the time of discussion gave an undertaking to the management that all the workmen shall resume duties on 15-2-74 in the first shift when the lock out will be lifted. It was thus the responsibility of the union and the other persons to inform Sri Koiri and ensure his attendance by about 15-2-74 when the lock was to be lifted. The management was not under a duty to inform Sri Koiri about the fact of the lifting of the lock out. The undertaking so given in Ext. M-4 is not an undertaking that the union and others would inform each and every workman about the fact of the limiting of the lock out. The undertaking only amounts to saving that the workers as a combination shall not be on a strike on that date and there will be general attendance of the majority of the workers. It is therefore incorrect to assume from Ext. M-4 that it was the duty of the union and others to inform Sri Koiri about the lifting of the lock out. Sri Koiri has stated by oath that since the police and goondas of the management unleashed reign of terror in the colliery and colony premises so he left for his home town which is situated in a different district. There is no rebuttal to his evidence. Mere notice on the notice board of the colliery could not have given the information to Sri Koiri about the fact of the lifting of the lock out. The management itself was duty bound to inform absenting workers on their personal addresses that it had lifted the lock out. There is no evidence that the union or any other persons gave any such information to Sri Koiri that lock out had been lifted. The agreement incorporated in the minutes of discussions Ext. M-4 was not the conciliation settlement and as Sri Koiri was not a signatory to it, the same was not binding on him. He had not authorised any union or other workers to give an assurance to the management that Sri Koiri will attend as soon as the lock out is lifted. The note of discussion is silent on the question of failure on the part of the union and others to send information to Sri Koiri, workman. It was for the first time by the notice dated 4-6-74 Ext. M-6A that Sri Koiri came to know that the lock out had been lifted on 15-2-74.

7. Even then Sri Koiri's conduct had not been without blemish generally as soon as the lock out is lifted and the working starts in an industry the rumour travels to nook and corner of the area and every body comes to know about the fact that the life in industry has revived. Each workman is anxious to see the revival of the industrial life in the interest of his continued employment and earning. It goes without saying that workman who is idle is always anxious to know and make anxious enquiries about the lifting of the lock out. The empty stomachs and idle hands goad him to make such enquiries even if he is illiterate. There is no evidence that Sri Koiri ever made any such enquiry or exhibited any such anxiety when generally lock out is only a short term affair. Thus even if the management was formally bound to inform him of the fact that lock out had been lifted, the workers apathy and care-free attitude for a number of

months beginning from February to June or August, 1974 could not but give rise to the justified presumption of voluntary abandonment of the job. This was fortified by his conduct in not appearing and not showing cause against the long absence inspite of service of notice Ext. M-6A.

8. It is alleged that in pursuance of the notice Ext. M-6A dated 4-6-74 Sri Koiri appeared on the following day on 5-6-74 and submitted his joining report Ext. W-1. This fact has been emphatically denied by Sri Ramesh Chandra Sharma MW-1, Sub-Area Personnel Officer. It is, therefore, necessary to analyse the truth of Sri Koiri's statement on this point. At first in his statement Sri Koiri was no sure to whom he handed over the joining report Ext. W-1. Then he came out with a statement that he handed it over to Sri Shamsher Singh, Labour Officer. It is again not clear how the joining report should have been submitted to a Labour Officer. When Sri Koiri was an underground leader, he should have submitted it either to the Manager, undermanager or mining sirdar or any other officers who supervised his work and could permit him to go inside the mine. Handing over the joining report to Labour Officer is neither here nor there. If the report was in fact handed over to Labour Officer he should have acknowledged its receipt on Ext. W-1 but admittedly Sri Shamsher Singh did not acknowledge the receipt of the joining report on Ext. W-1. When Sri Koiri was confronted with this situation he at first explained his ignorance about the person who had signed the acknowledgement on Ext. W-1 and then he came out with a statement that some Malakar was also standing there acknowledged the receipt of the original joining report on the copy Ext. W-1. When the report was handed over to Labour Officer how should Malakar have signed the acknowledgement. It is not known what was the designation of Malakar and how was he concerned with this affair. Sri Ramesh Chandra Sharma did admit that there was an employee in the name of Malakar but neither he could identify the signature of Malakar nor any question was asked from him about Malakar's designation etc. This evidence is not sufficient to prove Malakar's signature or acknowledgement on Ext. W-1. The union should have called and examined Malakar for proving this fact and for knowing the designation of the person to whom that joining report was submitted by him. The union could have further called for receipt register for proving that the joining report was so registered on that date. There is thus no reliable evidence that Ext. W-1 was ever submitted by Sri Koiri on 5-2-1974. This document could be prepared any time during the conciliation proceedings and could be shown to A.L.C. The Management's witness has explained that though this application was shown before A.L.C. he had no occasion to decipher the name of the person who signed the acknowledgement and as such no action could be taken against Malakar nor could he be brought before this Tribunal for evidence as Sri Malakar's name was disclosed on the very day, in the cross-examination of the workman, on which day the evidence of the management was recorded.

9. It is again not clear as to how a management which was keen to serve a personal notice upon Sri Koiri vide Ext. M-6A asking him to join and explain the long absence, should refuse to take him on the job on the very next day when he reported for duty in response to that notice. It is said that the management was reluctant to take him back on the job because of his trade union activities. In that respect Sri Koiri has not been able to prove anything. He stated that he was a member of the union but he could not produce any receipt or counterfoil about such membership. Admittedly he was not an office bearer or even an active member because had he been an active trade unionist he would not have gone to his home town for leading a comfortable life when all other workers were facing starvation due to the lock out in the industry and were busy to work and negotiate a settlement for getting it opened. Such a time is the time for work for an active worker of a trade union movement. His conduct thus goes to show that, if at all, he was only a nominal member of a union and no management is likely to victimise a person for mere nominal membership of a union. There was thus no valid reason for the management which had by a personal notice called Sri Koiri to join the duty, to refuse to take him on the work the very next day. I am therefore not inclined to believe that Sri Koiri appeared before the management on 5-2-74 or submitted his joining report Ext. M-1. It is thus clear that Sri Koiri did not appear or submitted

the joining report even after the personal service of the notice Ext. M-6A on him on 4-6-74. This conduct read with the apathy and disinterestness shown by Sri Koiri in remaining at his residence for months together without ever making any enquiry as to whether the lock out had been lifted or not, were clearly indicative to voluntary abandonment of his service. The management was therefore not unjustified in presuming voluntary abandonment of the job on his part and in taking the consequent step of striking off his name from the rolls.

10. Such striking of the name because of the voluntary abandonment of the job does not amount to retrenchment. The definition of the work 'retrenchment' as given in Sec.2(00) of the Industrial Disputes Act by itself contemplates the 'termination of the service by the Employer' and not voluntary abandonment or resignation by the workman himself. It excludes from the definition voluntary retirement which is a sister situation to voluntary abandonment. In this respect the case of Delhi Cloth and General Mills Limited Vs. Mukarjee 1977 (14) S.C.L.J.57 is distinguishable on facts. In that case the name was struck off from the rolls before the expiry of eight days which was the minimum period prescribed by the Standing Orders for presuming abandonment. The Supreme Court therefore held that in those circumstances the striking off the name from the rolls amounted to retrenchment. In that case the termination was not because of the conduct of the workmen in remaining absent beyond the period prescribed by the Standing Orders. The service came to an end because the name was struck off prematurely. Thus in that case it was the act of the employer which terminated the services. On facts that case is thus distinguishable from the circumstances obtaining in the present case.

11. The demand of the union for the employment of Sri Shankar Koiri is, therefore, unjustified. The reference is answered accordingly.

[No. L-20012/62/78-D. III(A)]
S. N. Johri, Presiding Officer

New Delhi, the 24th August, 1979

S.O. 3095.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 3, Dhanbad in the industrial dispute between the employers in relation to the management of Benedih Colliery of Messrs. Bharat Coking Coal Limited, Post Office Nawagarh, District Dhanbad and their workman, which was received by the Central Government on the 22nd August, 1979.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT NO. 3 DHANBAD

Reference No. 4 of 1978

PRESENT :

Shri P. Ramakrishna, Presiding Officer

PARTIES :

Employers in relation to the management of Benedih Colliery of M/s. Bharat Coking Coal Ltd., P.O. Nawagarh, Dist. Dhanbad.

AND

Their workman

APPEARANCES :

For Employers—Shri B. Joshi, Advocate.

For workman—workman in person.

INDUSTRY : Coal.

STATE : Bihar.

Delhi, the 16th August, 1979

AWARD

The Government of India in the Ministry of Labour in exercise of the powers conferred on them u/s 10(1)(d) of the industrial Disputes Act, 1947 (14 of 1947) have referred the following dispute to this Tribunal for adjudication as per their order No. L-20012/168/77-DIII(A) dated 23rd January, 1978.

536 GI/79—6

SCHEDULE

"Whether the action of the management of Benedih Colliery of M/s. Bhatt Coking Limited, P.O. Nawagarh, Dist. Dhanbad in stopping the work of Shri Shankar Pas, Munshi, with effect from 25th June, 1976 is justified? If not, to what relief is the said workman entitled?"

The Secretary of Rashtriya Colliery Mazdoor Sangh has filed statement of claim on behalf of the workman herein stating that the Benedih Colliery (hereinafter referred to as colliery) has been taken over by the Central Government with effect from 31-1-1973 and thereafter nationalised with effect from 1-5-1973. The workman herein Sri Shankar Pasi worked as a Munshi in this colliery even before the date of nationalisation and continued to work after the date of take over and nationalisation. He was holding the permanent post of Munshi. Without serving any notice on the workman, the management orally dispensed with his services with effect from 25-6-1976. The workman submitted a written representation to the Colliery Manager on 26-6-1976. Since the management failed to take any action on his representation he referred the matter to the union. To the union's letter also the management did not issue any reply. Thereafter the General Manager, Area No. 1 within whose administrative jurisdiction the colliery is situated was also approached by the union by their letter dated 15-7-76 but the same was not replied to. The union therefore referred the matter to the A.L.C.(C) Dhanbad for his intervention by their letter dated 26-8-76. The effected conciliation having failed, the A.L.C.(C) submitted a failure report to the Government on receipt of which the present reference is made. The workman prays that the management was not justified in terminating his services with effect from 25-6-76 and that he should be reinstated with full back wages and continuity of service. He also prays for the costs of this proceedings.

The management in their written statement submitted that the workman herein was never an employee of the mine that was taken over. His name does not appear in the original man-power list. As the erstwhile employer of Penalgoria Colliery did not submit the statutory registers the management had to continue the services of all the employees of the private owner on the basis of their oral statements. Some persons took undue advantage of the situation and got themselves employed in the colliery after nationalisation through dubious means. They say that the workman herein is one such. They submit that they carefully examined the case of the workman and were satisfied that he was an imposter and therefore they terminated his services with effect from 25-6-1976. They submit their action does not call for any interference at the hands of the Tribunal.

On behalf of the workman a rejoinder is filed denying the material allegations made in the management's written statement.

From 7-7-79 this matter was posted to 16-8-79 for hearing. On 16-8-79 the workman appearing in person and the management appearing through Sri B. Joshi, Advocate, filed a memo of compromise duly signed by the Asstt. Secretary of the union on behalf of the workman and the senior Manager and Deputy personnel Manager on behalf of the management. The signature of the workman herein was obtained as a witness to this document. The workman while admitting the terms of compromise requested the Court to pass an award in terms thereof. Shri Joshi also made a similar request on behalf of the management. I am satisfied that the terms of compromise are fair and in the interests of the workman. Therefore the compromise is recorded and the reference is answered in terms thereof.

In the result his reference is answered in terms of the memo of settlement filed by the parties. A copy of the settlement appended hereto may be read as part of this award.

P. RAMAKRISHNA, Presiding Officer.

[No. 4-20012/168/770-D.III(A)]

S.H.S. IYER, Desk Officer

Form 'H'
(See rule 58)

Form for memorandum of settlement between Benedih Colliery and RCMS on 13-6-79

Representing employen(s).

1. Sri Mahender Lal, Sr. Manager.
2. Sri R. Mohan, Dy. P. M. Barora Area.

Representing workmen

1. Sri A. L. Sharma, Asstt. Secretary, RCMS.

Short recital of the case

S/Sri Sankar Pasi, Jhabbu, Ramcharan Pasi and Ganauri Pasi were declared imposters and removed from service in 1976. After examining the whole issue at the Hqrs. level and discussing the matter with the union at length, it has been decided to allow the persons as above to resume their duties on the following terms of settlement.

TERMS OF SETTLEMENT

(1) That S/Sri Sankar Pasi, Jhabbu, Ramcharan Pasi, Ganauri Pasi have been allowed to resume their duty with immediate effect. They shall report for their duties within 7 days after the date of this settlement.

(2) That S/Sri Sankar Pasi, Jhabbu, Ramcharan Pasi and Ganauri Pasi shall be paid 50 per cent of the average wage of their respective wage/Cat. for their idle period.

(3) That the period of idleness for the concerned workmen should be treated dies-non and will be counted towards continuity of service only.

(4) That the dispute has been resolved finally.

(5) That the copies of the settlement shall be sent to appropriate authorities.

Signature of the Parties

Representing employers :

1. Sri Mahender Lal, Sr. Manager, Benedih colliery.
2. Sri R. Mohan, Dy. P.M. Barora Area.

Representing workmen :

1. Ajab Lal Sharma, Asstt. Secretary, RCMS.

Witnesses :

Shankar Pasi	}	Sd./-
Sri B. N. Yadav.		
Jhabbu Ram		
Ramcharan Pasi	}	L. T. I.
Ganauri Pasi		

cc. to :

- (1) Asstt. Labour Commissioner (C), Dhanbad.
- (2) Regional Labour Commissioner (C), Dhanbad.
- (3) Chief Labour Commissioner (C), New Delhi.
- (4) The Secretary to the Govt. of India, Ministry of Labour New Delhi.
- (5) Personnel Manager (OR), This has a reference to his letter No. BCCL/IP/18(39)/25260 dt. 25/29-5-79.

New Delhi, the 24th August, 1979

S.O. 3096.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Jabalpur in the industrial dispute between the employers in relation to the management of the Bank Note Press, Dewas, and their workmen, which was received by the Central Government on the 17th August, 1979.

BEFORE SHRI S. N. JOHRI, B.Sc., LL.M. PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

Case No. CGIT/LC(R) (16)/1977

PARTIES :

Employers in relation to the Management of the Bank Note Press, Dewas and their workman, Shri R. K. Kapoor, Senior Operator through the Bank Note Press Karamchari Sangh, Dewas (M.P.).

APPEARANCES :

For Management—Shri P. S. Nair, Advocate.
For Workmen—Shri Gulab Gupta, Advocate.

INDUSTRY :

Bank Note Press.

DISTRICT : Dewas (M.P.)

AWARD

Dated, July 31st 1979

This is a reference made by the Government of India in the Ministry of Labour vide its Order No. L-42012(12)/77-DII(B) Dated 18-8-1977, for the adjudication of the following industrial dispute :—

"Whether the action of the Management of the Bank Note Press, Dewas in

- (a) suspending Shri R. K. Kapoor, Senior Operator from service with effect from 5th February 1976, and
- (b) replacing the services of the said workman at the disposal of the Government of India Press, Aligarh on 12th August, 1976

Is justified ? If not to what relief is the said workman entitled ?"

2. It is not disputed that Shri R. K. Kapoor was originally in the service of the Government of India Press, Aligarh. In response to an advertisement for the post of Junior Supervisor (Printing) issued by the Bank Note Press, Dewas, Shri Kapoor sent an application through his then employer for the said post. Dewas Press, however, did not consider Shri Kapoor, worthy of being taken up as a Junior Supervisor. Shri Kapoor there upon moved another application through his then employer expressing his willingness to be absorbed on any suitable post in Bank Note Press, Dewas. Thereafter Dewas Press made an offer to him for the post of Assistant Operator of Intaglio Printing Machine. This offer was accepted and Shri Kapoor thereafter joined the Bank Note Press, Dewas as an Assistant Operator on Intaglio Printing Machine on 31st May, 1973. In the year 1975 he was given ad-hoc promotion as Senior Operator of the machine.

3. When Shri Kapoor was relieved by the Aligarh Press it obtained a declaration from him that his lien to the permanent post which he occupied in that Press at that time shall be retained only for a period of two years. Neither the post of Assistant Operator nor the promotion post of Senior Operator was declared as a permanent post at Dewas Press when the said period of two years expired with respect to the retention of lien at Aligarh.

4. Shri Kapoor took active part in Union activities and became the Secretary of the Bank Note Press Karamchari Sangh, Dewas. He was placed under suspension vide order dated 5-6-1976 and a domestic enquiry was instituted against him on three counts. The charge-sheet may be reproduced as follows :—

Charge Article No. 1.—That on 5-2-1976, the said Shri Rajkumar Kapoor left the machine under his charge unattended/partially attended, in picking up quarrels unmindful of the possibility of damage to machine and/or loss of valuable products and reportedly man handled, threatened and beat the maintenance worker Shri Babulal Sindhmah, Assistant Fitter while the latter was on duty causing thereby breach of discipline and security risk ;

Charge Article No. 2.—That the said Shri Rajkumar Kapoor is quarrelsome, indiscipline and disrespectful in his behaviour with the officers supervising his work. Such conduct is unbecoming of a Government Servant and violative of Rule 3(1)(iii) of the Central Civil Services (Conduct) Rules 1964 ; and

Charge Article No. 3.—That the said Shri Rajkumar Kapoor does not maintain devotion to duty and remains habitually absent from duty frequently in violation of Rule 3(1)(i) of the Central Civil Services (Conduct) Rules, 1964.

Charge No. 1 related to a specific incident of 5-2-1976 and consisted of two parts viz. negligence with respect to the machine in leaving it unattended or partially attended and secondly picking up a quarrel with a co-worker. Charge Article No. 2 is again constituted of two parts. Firstly it speaks of quarrelsome nature and secondly disrespectful behaviour with the officers for which in the statement of imputations the attention of the delinquent was drawn to a specific incident of 13-8-1975 when Shri Kapoor entered into heated discussions with Shri A. K. Paneshar, Assistant Works Manager, who was at that time looking after Integlio Section. He stopped the machine and became furious and threatened Shri Paneshar with dire consequences threatening him to break the bones of his legs and hands outside the Press, abusing Shri Paneshar at the top of his voice and rushing to assault him. Third charge relates to his irregular attendance on leave or without leave indicating absence of his honest and sincere efforts to give reasonable production from the Integlio Printing Machine.

5. The enquiry was entrusted to Shri U. R. Kini, Deputy Works Manager, but he proceeded on long leave and therefore allegedly for expediting the enquiry Shri C. C. Unni Krishnan, Junior Administrative Officer, who had recently joined the Bank Note Press on 2nd May, 1976 was appointed as Enquiry Officer. After the completion of the enquiry Shri Unni Krishnan found Shri Kapoor guilty of only two of the charges and that finding of guilt was accepted by the Disciplinary Authority thinking that he had been found guilty on all the charges. Consequently treating the delinquent as an employee on deputation the Disciplinary Authority ordered his repatriation to Aligarh Press as per terms of Rule 20 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965.

6. The Union raised a dispute which ultimately resulted in the present reference.

7. It will not be out of place to recall at this stage that the management raised certain preliminary objections against the validity of reference, existence of an industrial dispute and the character of Bank Note Press, Dewas, being an industry within the meaning of Section 2(j) of the Industrial Dispute Act. This Tribunal by its Order Dated 16-12-1978 held with respect to those preliminary objections that 'Shri Kapoor was a workman, Bank Note Press Dewas was an industry, there was employer and employee relationship between the two, the dispute was properly sponsored by the representative Union, repatriation order amounted to retrenchment of the workman, Shri Kapoor, within the meaning of Section 2(oo) of Industrial Disputes Act and that gave rise to a valid industrial dispute within the meaning of Sec. 2(k) of the Act. As such it was held that the reference was valid and proper. Issue No. 4 as framed on 26th October, 1977 relating to the dispute between the two employers viz. Bank Note Press, Dewas, and Government Press Aligarh, was not pressed by the learned Counsel for the Management of Dewas Press, Aligarh Press being not a party to this reference had no say in the matter. Decisions on these points were directly or indirectly confirmed by the Divisional Bench of the High Court of Madhya Pradesh vide its Order dated 6-5-1978 passed in Misc. Writ Petition No. 80/1978. Arguments readvanced on some of these points at this final stage need therefore no consideration.

8. The case of the management is that Shri Kapoor was a Government servant as an employee of Bank Note Press, Dewas, and was necessarily governed by the Central Civil Services (Classification, Control and Appeal) Rules, 1965, Central Civil Services (Conduct) Rules, and Revised Leave Rules and Fundamental Rules etc., prescribed for the Government servants. His salary was debitable to civil estimates of Bank Note Press, Dewas, as a subordinate organisation of the Ministry of Finance (Department of Economic Affairs). Therefore his suspension and enquiry procedure as well as repatriation order were justified under Central Civil Services (Classification, Control and Appeal) Rules, 1965. There were no mala fide or attempt to victimise Shri Kapoor for his Union activities. The lien of Shri Kapoor could not be terminated at Aligarh Press because he was holding a permanent post in that Press when his services were borrowed by

Dewas Press. As per Rules his lien could not be terminated even with his consent unless he was permanently absorbed by the Dewas Press. The promotion being on ad hoc basis and the post of Assistant Operator being itself a temporary post, he could not be confirmed and absorbed on any post at Dewas. Under the circumstances the borrowing authority could not inflict a punishment and as per Rule 20 of the Central Civil Services (Classification, Control and Appeal) Rules he had to be repatriated to his parent employer. The order of repatriation was thus a justified order and no industrial dispute could be raised at that interim stage when final order of punishment had not yet been passed by his Disciplinary Authority at Aligarh.

9. The case of the Union is that Shri Kapoor was being victimised for his union activities as the other office bearers and active workers of the union had suffered at the hands of the management during the course of emergency. Even the Union itself had been derecognised in that period of oppression. Shri Kapoor was derecognised as a Secretary of that Union and the members of the Union were prohibited from holding meetings in the residential area of the Press and accommodation which had been allotted by the management to the Union for holding its sitting was also taken away and the union was forcibly evicted from that building. The charges were false frivolous, vexatious, mala fide and illegal. Being an unclassified industrial employee he was not governed by the Central Civil Services (Classification, Control and Appeal) Rules, 1965. Suspension, charge-sheeting and the whole gamut of the domestic enquiry were illegal and violative of the principle of natural justice and fair play. Repatriation was ordered with a view to deprive Shri Kapoor of the subsistence allowance so as to drive him to starvation.

10. I may start with the important question about the applicability of Central Civil Services (Classification, Control and Appeal) Rules, 1965 to Shri Kapoor who has already been held to be a workman in the Bank Note Press industry. This question was for the first time raised by the learned Counsel for the Union before the High Court in the writ petition. Up to that time the pleadings indicated that even the Union was under the impression that Shri Kapoor was governed by the Central Civil Services (Classification, Control and Appeal) Rules, 1965. However, this blatantly raised plea cannot be thrown out merely as an after thought because firstly it raises an important question of the interpretation of various Rules and Acts and secondly because the High Court has given a specific direction in its order that this Tribunal should 'consider and decide' that question 'while deciding the case on merits'. It is, therefore, irrelevant to argue that Shri Kapoor never challenged the applicability of Central Civil Services (Classification, Control and Appeal) Rules during the course of enquiry when all the actions of the management against him were being taken under those Rules. Even if the parties act under a misapprehension in the matter of applicability of rules the question can well be considered and decided by the Tribunal as a question of law.

11. Proviso to Sub-section (4) of Section 1 of the Industrial Employment (Standing Orders) Act, 1946 says that—

"Notwithstanding anything contained in Madhya Pradesh Industrial Employment (Standing Orders) Act, 1961 the provisions of that Act shall apply to all industrial establishments under the control of Central Government."

There is a complimentary provision in Sub-section (1) of Section 2 of Madhya Pradesh Industrial Employment (Standing Orders) Act, 1961, which says that the Madhya Pradesh Act shall not apply to an undertaking carried on by or under the authority of the Central Government. When the two provisions of the two Acts are read together it becomes crystal clear that the Central Act and not the State Act shall apply to an undertaking run by or under the control of the Central Government.

12. This general applicability is further subjected to the exempting provisions incorporated in Section 13-B of the Central Act. Section 13-B may be reproduced as follows:—

"Nothing in this Act shall apply to an industrial establishment in so far as the workmen employed therein are persons to whom Fundamental Rules and Supplementary Rules, Civil Services (Classification, Control and Appeal) Rules, Civil Services (Tempo-

rary Service) Rules, Revised Leave Rules, Civil Service Regulations for civilian and defence services (Classification, Control and Appeal) Rules or Indian Railway Establishment Code or any other Rules or Regulations that may by notification in this behalf by the appropriate Government in the official Gazette apply."

13. Learned Counsel for the Union thinks that the rule can be split into three alternative parts. The first part speaks of the bunch of rules applicable to the Civil Service and Defence Services. The Rules named in that part are not separated from each other by the word 'or'. Therefore for the operation of the exemption this whole bunch of rules should be together applicable to an individual and not any one of them. The second part relates to Railway employees and the third is the residuary clause dependant upon a specific notification. These three parts are separated from each other by the word 'or' repeated twice. By this device of interpretation Shri Gulab Gupta, Advocate, argued that since the whole bunch of the rules contemplated in the first part in Sec. 13-B is not proved to be applicable to Shri Kapoor, he shall be governed only by the Model Standing Orders issued under the Industrial Employment (Standing Orders) Act, 1946 and not by the Central Civil Services (Classification, Control and Appeal) Rules, 1965, because admittedly the industry has not yet issued Certified Standing Orders of its own.

14. It is impossible to fall in line with this argument based on an interpretation which contemplates an impossible situation. Bunch of the rules mentioned in the first part of the Section consists of Fundamental Rules, Supplementary Rules, Central Civil Services (Classification, Control and Appeal) Rules, Central Civil Services (Temporary Services) Rules, Revised Leave Rules on the one side which are applicable to all civil servants of the Government of India and on the other hand it also mentions Civil Service Regulations for civilian in Defence Services (Classification, Control and Appeal) Rules which are applicable only to the civilian in Defence services and not to others. Thus if the lastly mention rules apply to a Government servant the others may not have their application and similarly in the case of the civil servants the rules mentioned for the civilian in defence services will not be applicable. It is thus impossible that the whole bunch of these rules may be applicable to any single government servant. According to the normal rules of interpretation if some clauses are separated by comma and ultimately the word 'or' is used it will mean that each such clause is alternatively applicable being separated by the word 'or'. The matter would have been different had the word 'and' been used as a conjunction to join the lastly mention rules with the previous rules separated by commas in the first bunch. In that case the subsequent use of the word 'or' would have divided the section into three alternate parts with the first part having a compact identity of applicability as a whole. It is, therefore, held that if any of the rules contemplated in Sec. 13-B of the Industrial Employment (Standing Orders) Act is applicable to an employee then he will not be governed by the Standing Orders. It is an admitted position that Shri Kapoor enjoyed leave under the Revised Leave Rules and therefore mere applicability of the Revised Leave Rules exempts him from the applicability of Standing Orders Act.

15. Rule 3 of Central Civil Service (Classification, Control & Appeal) Rules says that these rules apply to all government servants. Shri Kapoor is admittedly an employee of the Bank Note Press which is a government undertaking run under the direct control of the Ministry of Finance. It is thus obvious that he is a Government servant and it follows that Central Civil Services (Classification, Control and Appeal) Rules govern him even as a workman of that industry.

16. Rule 3(1)(e) of Central Civil Services (Classification, Control and Appeal) Rules further says that these rules shall not apply to persons for whom some special provision is made in respect of the matters covered by these rules. Learned Counsel for the Union has not been able to show any rule under Model Standing Orders which may cover the matter of disciplinary proceedings against a borrowed employee and his repatriation to the lending employer. It follows that even if the Model Standing Orders apply, at least with

respect to these matters concerning the manner of holding disciplinary proceedings against a borrowed employee and his repatriation to the parent employer for inflicting punishment shall be governed by the Central Civil Services (Classification, Control and Appeal) Rules, 1965.

17. Rule 9(2) of the Central Civil Services (Classification, Control & Appeal) Rules says that all appointments to the Central civil post in Class II, Class III and Class IV services shall be made by the Authorities specified in the Schedule. By Notification of the Ministry of Finance (Department of Economic Affairs) No. S.O. 1349 dated 26th March, 1976 published in the Gazette of India dated 7-4-1976 in Part II Section 3(u) page 1469 (issued under the Authority of the President) for the appointment to the unclassified industrial post in the grade of Rs. 260-400, the authority was specified. Thus again goes to show that Shri Kapoor, who was admittedly holding an unclassified industrial post, belonged to the central civil service to whom Central Civil Services (Classification, Control & Appeal) Rules, 1965, did apply.

18. Fundamental Rule 2 says that Fundamental Rules shall apply to all Government servants whose pay is debitable to civil estimates. The budget estimates of the Government of India for the Ministry of Finance and under it for the Bank Note Press, Dewas, show that salaries and wages of the employees of the Bank Note Press, Dewas, including Shri Kapoor, are charged to the civil estimates of that Ministry under Non-plan expenditure. This again implies that Shri Kapoor is governed by Fundamental Rules as an employee of the Dewas Press.

19. Rule 3(4) of the Central Civil Services (Classification, Control and Appeal) Rules further makes a provision that if any doubt about the applicability of these rules arises, the matter shall be referred to the President of India, who shall decide the same. Accordingly when the doubt was expressed about the applicability of Central Civil Services (Classification, Control & Appeal) Rules to the case of Shri Kapoor when the matter was being argued before the High Court the Ministry made a reference to the President of India on which he issued the clarification (vide Ex. M/137) that all the industrial employees of the Bank Note Press, Dewas were governed by the Central Civil Services (Classification Control and Appeal) Rules. The interpretations given by the President as to its applicability is final in view of Article 361 of the Constitution of India.

20. The argument that the said document Ex. M/137 is not duly authenticated as required by Article 77 of the Constitution has no force. Firstly this challenge about the formal deficiency in the document should have been specifically raised in the pleadings so that the other side could avail of the opportunity to cure the deficiency by leading evidence before this Tribunal that the order was really issued by the President of India. It is the settled law that his deficiency of form is curable and the fact that the order was issued by the President can well be otherwise established by the Government. The mere absence of form, specially when no form of authentication in the name of President has been prescribed, cannot be held to be fatal to the validity of the clarification so given by the President. Secondly the document Ex. M/137 clearly mentions that the 'President is pleased to hereby clarify'. These words are sufficient to indicate due authentication by the President. Thirdly in giving that decision the President was not exercising the executive power of the State. He was only exercising the quasi judicial power of giving a decision about the final interpretation of the applicability of the rules which power he had reserved in himself while framing the rules under Article 309 of the Constitution of India. Hence that expression of that decision did not require formal authentication as contemplated by Article 77 of the Constitution of India.

21. The President has declared an authority as the Head of the Department under Supplementary Rule 310 and for the purpose of delegation of financial powers with respect to the Bank Note Press Dewas. The letter dated 18-8-1969 again indicates that the employees of the Bank Note Press are governed by the Central Civil Services (Classification, Control and Appeal) Rules, the opinions given by the Law Department or by the Chief Labour Commissioner, though not of much consequence, also fall in the same line and give support to my reasonings given above. It is, therefore, held that Shri Kapoor was governed by Central Civil Services

(Classification, Control & Appeal) Rules, Fundamental and Supplementary Rules and Government Servants (Conduct) Rules etc. and not by the Model Standing Orders.

22. This brings me to the controversy as to whether Shri Kapoor was sent on deputation from Aligarh Press to Dewas Press. It is not disputed that in response to an advertisement Shri Kapoor had applied for the post of Junior Supervisor. However, Dewas Press was not willing to consider him for that post. He, therefore, submitted a fresh application through his employer expressing his willingness to join any junior post, on which Dewas Press offered him the post of Junior Operator. Shri Kapoor accepted that offer and joined at Dewas on that post on 31st May, 1973. Such an arrangement could be by way of deputation from one department to the other under the same Government or could as well be a fresh beginning of a new appointment under a new employer not connected with the past employment. In both the cases as a disciplinary measure the application for the new post had to be got forwarded through the then employer. Thus the fact that the application was sent through Aligarh Press is not sufficient to throw light on the question whether Shri Kapoor was or was not a borrowed employee.

23. It is not disputed in the pleadings that Shri Kapoor retained lien on his permanent post at Aligarh when he came to Dewas from there. It is evident from Ex. W/64 as well, which speaks of the termination of lien after the efflux of time envisaged in the declaration given by Shri Kapoor when he left Aligarh Press. According to the definition of lien given in F.R. 9(13), the lien means title to hold a post substantively. If the employer-employee relationship terminates no lien survives. Thus the fact that lien was retained, indicates that the relationship of employer-employee vis-a-vis Government Press, Aligarh and Shri Kapoor continued to survive even after he had joined Bank Note Press at Dewas. Admittedly he had not resigned from his service at Aligarh. He was an employee of the Government of India in the Ministry of Works and Housing under which the Government Press Aligarh was functioning. He was given new employment under the same Government of India but in the Ministry of Finance when he joined Bank Note Press Dewas, which industry was working under the Department of Economic Affairs within that Ministry. Thus the main employer i.e. Government of India had not changed. It was only a change of department. For distinction between deputation and fresh appointment see Appendix 31 of Civil Service Rules Clause (1) which defines deputation and runs as follows :—

“The term deputation will cover only appointments made by transfer on temporary basis. Appointments of serving Government servants made either by promotion or by direct recruitment in competition with open market candidates whether on a permanent or temporary basis, will not be regarded as deputation. Similarly permanent appointments made by transfer will not also be treated on deputation.”

The case of Shri Kapoor is squarely covered by the definition of deputation and excludes the contemplated exceptions. He drew his transfer T.A. for travelling from Aligarh to Dewas, which means that he was treated as if he had joined at Dewas on transfer from Aligarh. Dewas Press had not offered to pay his travelling expenses from Aligarh to Dewas in the letter of appointment (Ex. M/88). Payment of transfer T.A. even when no such term was given in the letter of appointment, is indicative of the fact that he was treated as if he had come on transfer from Aligarh to Dewas. It is in same context that Aligarh Press issued Last Pay Certificate when he left Aligarh for joining the service at Dewas.

24. The appointment letter Ex. M/88 clearly gives the scale of pay on which he was appointed at Dewas and it mentioned at the end of para 1 that Shri Kapoor was to be fixed in that scale in accordance with the Central Government Rules, which means F.R. 22-C which envisages fixation at the stage next higher to the one that the employee has already reached in his scale of the substantive post already held. It is not disputed that Shri Kapoor's initial pay was fixed accordingly. This indicated continuity of service. In case of fresh appointment unrelated to the past service with another employer, there was no need of putting such a clause in the appointment letter as in that case Shri Kapoor would have been fixed at the initial stage of the scale or the order would have mentioned the grant of agreed number of advance increments. There is no question of fixation of pay

in case of first or initial appointment nor there are any rules governing any such fixation at that time. The introduction of the clause relating to fixation of pay in Ex. M/88 thus makes it clear that it was not a fresh appointment to the post. The appointment letter again mentions at the end that if the terms were acceptable then the acceptance may be communicated by Shri Kapoor to his employer i.e. to the management of the Government Press Aligarh. This was obviously with a view to seek the consent of that employer along with the consent of the employee for the transfer of his services to Bank Note Press Dewas. All these circumstances taken together do indicate that Shri Kapoor was on deputation to a post in India, outside his regular line, within the meaning of F.R. 30 and he could claim the benefit of 'Next Below Rule' had he opted back to his substantive post at Aligarh. Therefore it cannot be said that the day he joined at Dewas his connections with Aligarh were snapped for good and he began as a fresh appointment at Dewas having no connection with his past service or employer.

25. Nor his relationship with Aligarh Press came to an end by the efflux of the period of two years for which time he had given the declaration for the retention of his lien. As said above he never sent his resignation and F.R. 13 provides that the lien continues till the Government servant holds a post substantively or till it is transferred or suspended. There is no allegation on either side that his lien was ever transferred or suspended. Till the relationship continues lien to a permanent post also continues and it cannot be terminated even with the consent of the employee himself as is contemplated by F.R. 14-A. The communication Ex. W/64 conveying the information about the factum of termination of lien with the efflux of time, was thus patently misconceived.

26. It was not possible either for the management of Aligarh Press or for Shri Kapoor to effect a change by mere passive acceptance of such communication because as said above F.R. 14-A is emphatic that such a lien can in 'no circumstances' be terminated 'even with the consent of Government servant'. The lien continued because Shri Kapoor did not attain permanent status at Dewas as the original as well as the promotion post held by him at Dewas were themselves temporary. This Rule of F.R. 14-A on the one hand guarantees security of service and status to the employee and on the other hand steps the Government servant to wriggle out of that position. It may therefore be reiterated that all his situation makes it crystal clear that Shri Kapoor was an employee on deputation. Aligarh Press was his lending employer and Dewas Press was the borrowing authority within the meaning of Rule 20 of C.C.S. (C.C.A.) Rules, 1965.

27. The argument that there was no direct correspondence or agreement between the two employers hence a lending or borrowing contract could not have come into existence, has no force because such a contractual relationship could as well arise out of the aforesaid circumstances and can be implied from the fact of forwarding, the consent of the employee to the terms and conditions given to him, to the new employer because the consent of the employee as said above was required to be sent through the employer and not directly.

28. Not the argument, that the lien is a matter between the then employer and employee, and Dewas Press, not being a party to it, cannot enforce that lien upon the two and compel the Aligarh Press to take back Shri Kapoor when neither that employer was interested in Shri Kapoor nor Shri Kapoor was interested in that employer nor he wanted to retain the lien at Aligarh, has any force. Lien is not a matter of contract. It is a sort of status and guarantee of security of service conferred and assumed by the statute which title to the post has been made interminable even by consent. It is a right as well as a liability from which there is no escape unless the relationship itself is terminated by resignation or otherwise. Bank Note Press, Dewas thus does not want to force an unwanted lien on an unwanted person without being privy to the contract of employment between him and the Aligarh Press because it is itself circumscribed by its own limitations and has no way to wriggle out of the rigor of Rule 20 of C.C.S. (C.C.A.) Rules, which does not permit the borrowing authority to inflict major punishment on the borrowed delinquent—a salutary provision meant to safeguard the interest of the borrowed employee.

29. It is not correct to argue that borrowing and lending theory was never pleaded by the management. The theory is

inherent in the action itself—the action of ordering repatriation, which action is candidly referable to Rule 20 of the C.C.S. (C.C.A.) Rules, 1965 which is the only Rule meant for meeting such a situation of a borrowed employee. It was even specifically pleaded in para 10 of the original written statement.

30. The direction in the appointment letter Ex. M/88 that Shri Kapoor should get himself relieved of his present employment only meant that the borrower employer wanted him to join the new assignment on deputation as early as possible and it is for that end that he had been advised to take active steps. The clause cannot be torn out of its context for clothing it with a meaning that the two employers did not want to do anything with each other and there was no process of lending and borrowing of the employee.

31. The letter Ex. W/77 dated 11th August, 1978, sent by Aligarh Press to Shri Kapoor informing him of the return of his C.D.S. amount back to Bank Note Press, Dewas, because his name was no more on the rolls of that employer, is again of no consequence, as is the case with the letter Ex. W/64, because both were based on the misconception of legal situation about the termination of the lien. These misconceived actions on the part of the Government Press, Aligarh cannot operate against the theory of borrowing of the employee nor can they support the contention of Shri Kapoor that it was a case of fresh employment with the Bank Note Press, Dewas and was thus an irreversible process unrelated to his past employment.

32. Letter Ex. M/101 was subsequently issued by Aligarh Press revising its earlier stand of termination of lien. It said that the lien still continued. It is argued that this letter is the result of the undue influence exerted by the Ministry of Finance on the Ministry of Works and Housing so that the Bank Note Press may get rid of its unwanted employee. Firstly there is no evidence to presume any such undue influence of one Ministry over the other. It is true that all the Ministries have to look to the Finance Ministry for financial sanction but that is the normal course of Governmental process, where all the ministries are dependent on each other and undue influence of one Ministry over the other cannot be presumed without any cogent evidence to that effect. Secondly the letter Ex. M/101 conforms to the correct legal position and it can well be presumed that the concerned Ministry ultimately realised the true position of law in this respect and therefore revised its stand. I do not mean to say that any change in situation is created on account of this letter. I only want to say that the Ministry of Works and Housing has also fallen in line with the legal situation about the continuance of lien as envisaged by this Tribunal in the aforesaid paragraphs.

33. Before closing this point it will be pertinent to note that even Union's original written statement para 9 admitted or rather pleaded in unmistakable terms that Shri Kapoor was governed by the C.C.S. (C.C.A.) Rules, 1965. The strategy was changed for the first time in the High Court while arguing the writ petition against the preliminary order passed by this Tribunal.

34. Suspension before framing the charges, ordered by the borrowing authority was not in breach of the Rules. Rule 10(1)(a) of C.C.S. (C.C.A.) Rules, 1966 envisaged suspension even when disciplinary proceedings were under contemplation. Rule 20 says that the borrowing authority shall have the powers of appointing authority for the purpose of placing such Government servant under suspension and for the purpose of conducting disciplinary proceedings against him.

35. In view of the applicability of Rule 20 of C.C.S. (C.C.A.) Rules, if the borrowing authority is of the opinion that the proved misconduct called for major penalty it has to order repatriation of the borrowed employee as contemplated by that Rule, but that opinion should be a bonafide opinion free from bias or spirit of victimisation and should be based on a fair enquiry and evidence in which proper opportunity to defend is given to the delinquent. The Tribunal has the jurisdiction to examine that the opinion so held by the borrowing authority is such a fair opinion based on cogent and reliable evidence, because mere holding of such an opinion results in the termination of employer-employees relationship between the borrowing authority and the delinquent as repatriation is an irreversible process. That would amount to retrenchment of the employee by the borrowing employer. This view taken by this Tribunal in the prelimi-

nary order was confirmed by the High Court while deciding the writ against it.

36. The next question for consideration is whether the charges were bonafide and the enquiry held was valid and proper.

37. Charge Article III about the habitual absence and lack of devotion to duty is based not only on the allegation of absence without leave, where leave applications or applications for extension of leave were entertained in time but were kept pending without granting or refusing them and without communicating any decision to the delinquent employee, but also based on absence on sanctioned leave where the cause for which the leave was applied for was accepted as genuine by the granting authority which sanctioned the same. It is true that leave cannot be claimed as of right. Therefore it could well be refused if the authorities were of the opinion that the privilege was being misused or was indicative of lack of devotion to duty. The fact of sanctioned leave raises a presumption of genuineness of the need for leave which genuineness is wholly inconsistent with the presumption of lack of devotion to duty (or pretentiousness of the cause) raised from the mere fact of taking such a leave. It is again inconsistent with the charge of habitual absence where the word 'absence' in that clause denotes 'absence without sanctioned leave'. The fact that the delinquent was not charge-sheeted for remaining absent without sanctioned leave speaks volumes against the strategy of sanction being held up without communicating that fact to the delinquent employee. It is indicative of the weakness inherent in such a charge. It is clear that Charge Article III, though held to be not proved by the Enquiry Officer is still indicative of lack of bonafides on the part of the management and smells of a spirit to somehow implicate the employee on one count or the other, which spirit is nothing but a sort of intention to victimise the workman for his own activity.

38. Whereas Charge under Article II about the quarrelsome indiscipline and disrespectful behaviour, speaks of a habit or behaviour inferred from long course of repeated events, yet the statement of allegations speaks only of one such incident that allegedly took place about six months before the charge was so framed. The statement of allegations thus itself rebuts the charge as framed, even if that belatedly incorporated a solitary incident is held to be proved, because one incident can neither prove the quarrelsome nature nor the indiscipline or disrespectful behaviour as a matter of habit. It is peculiar that the alleged incident of 13th August, 1975, where an assault is said to have been made on a superior officer, went unlamented for a period of six months without precipitated action of suspension at that very time when on the other hand the incident with a mere co-worker brought about immediate suspension and framing of the charges for holding a domestic enquiry. This enlivening of an incident which was otherwise lying dead in the coffin of the time, again exhibits an anxiety to lay the trap so deep as to leave no chance of escape when the lapse of six months period without a flutter is indicative of the fact that the management had not taken note of the alleged incident for penalising the delinquent. The Enquiry Officer's over enthusiasm in magnifying this delinquency of charge Article II by devoting big paragraph to the stoppage of machine and consequent loss of production when there was no such mention in the charge, and when that stoppage could neither add to or subtract from the alleged delinquency of indiscipline and disrespectful behaviour, is indicative of his interest and bias. I am, therefore, of the view that the charges under Article II & III were mere embellishments to the main charge under Article I, added with the spirit of victimising the delinquent on one count or the other. This embellishment further smacks of the weakness of charge Article I because props are needed only to an otherwise falling roof.

39. About procedural irregularities the delinquent alleged that he was prejudiced because enquiry was held count-wise i.e. the evidence on charge Article II was recorded only after completion of the evidence of both sides on charge Article I and so on. It is said that this procedure resulted in premature disclosure of defence and repetition of witnesses causing difficulty and prejudice in cross-examination. This allegation appears to have no force.

40. Shri K. V. John, Junior Machine Operator, on Integlio Machine No. 4 was examined on 8th and 11th June, 1976 as a witness called by the Enquiry Officer, to throw light on

charge Article I. He had to be again called as a defence witness on 1-7-1976 for throwing light on the question relating to charge Article 2. The two statements are completely separated from each other and are strictly confined to the two distinct incidents widely separated by a length of time. While he was being examined on charge Article I he did not say nor was he questioned about the incident relating to charge Article 2. No prejudice could therefore be caused simply because he had to be recalled as a defence witness when the enquiry relating to charge Article II was proceeding and as made clear above, there was no occasion for the premature disclosure of the defence on that count.

41. Similarly M/s. A. P. Dighe, M. C. Koshy, M. C. Sonawane and Mohd Saleem were examined twice, both the times as defence witnesses, once with respect to the incident of charge Article I and next time with respect to the incident of charge Article II. Each time the deposition was confined to that incident only with respect to which the enquiry was proceeding. Thus recalling of these defence witnesses could again cause no prejudice to the delinquent in his defence.

42. Charge Article III is of general nature and is totally unrelated to the charge Articles I & II. It did not depend upon oral evidence and no witness appears to have been examined with respect to that Article of the charge. The Enquiry Officer has himself held that charge Article III was not established, hence there is no need for this Tribunal to look into the evidence pertaining to that charge. Thus there was no occasion of the alleged prejudice being caused.

43. Moreover it is the settled principle of law that in a domestic enquiry the Enquiry Officer is free to follow his own procedure. In *Union of India Vs. T. R. Varma* (2 SCLJ 1360 (1963)) it has been held that, 'law requires that such (domestic) Tribunals should observe rules of natural justice in the conduct of enquiry, and if they do so their decision is not liable to be impeached on the ground that procedure followed was not in accordance with that, which obtains in a court of law'. In the present case the C.C.S. (C.C.A.) Rules do not say whether the enquiry should be held count-wise or a consolidated enquiry should be held for all the charges where there is joinder of charges in a domestic enquiry. Hence the Enquiry Officer was justified to follow his own procedure and the procedure that he followed was, as said above, neither in breach of any rule of natural justice as opportunity to defend was fully given, nor it caused any prejudice. Hence the legality and propriety of enquiry cannot be impeached on this ground. The point has no force.

44. The delinquent raised an allegation that some of the witnesses were examined in his absence. He had raised such an objection before the enquiry Officer vide his letter dated 9-7-1976 (Ex. W/32) in which it was alleged that Shri Harap Sarkar, Shri Girish Tiwari and Shri K. V. John were examined behind his back and he had come to know that fact only when typed copies of their statements were handed over to his representative that day. The delinquent further stated as W.W. 1 that no opportunity was given to him to cross-examine Messrs Tiwari, John, R. D. Verma, Guha and M. Krishna Murty. The objection so raised was promptly replied by the Enquiry Officer vide Ex. M/58 denying the wild allegations of examination of witnesses behind the back. The letter of objection dated 9-7-1976 was received by the management on 13-7-1976 and the reply was sent on 15-7-1976 which was received by the delinquent on 20-7-1976. Shri Unnikrishnan, Enquiry Officer, has stated on oath that opportunity to cross-examine was fully given to the delinquent on each witness and all the evidence was taken in his presence. His statement is supported by the record of the statements of all these witnesses. They were closely cross-examined at length. Such questions were put in cross-examination as could not be otherwise manipulated in writing out a faked cross-examination. They speak of facts which could only be within the personal knowledge of the delinquent and his representative Shri Joshi. It goes without saying that the witness who was so closely cross-examined was in fact examined in the presence of the delinquent because examination in chief is too short in each case. The record thus supports the version of the Enquiry Officer Shri Unnikrishnan. He is a responsible Officer and there is no reason to disbelieve him simply because the delinquent says to the contrary. In the case of *T. R. Varma* cited above in similar circumstances the Supreme Court on page 1361 preferred to rely on the testimony of the Enquiry Officer Shri Bryne with the observation that 'when there is a dispute as to what happened be-

fore a Court or a Tribunal the statement of the Presiding Officer in regard to it is generally taken to be correct.'

45. Shri Unnikrishnan was appointed as Enquiry Officer on 7-5-1976 vide order Ex. M/1 (A) and the order itself says that prior to his appointment Shri Kini (previous Enquiry Officer) had recorded some evidence. The note on the chart (pages 39-40 of Ex. M-83) and the recorded depositions show that Shri Girish Tiwari and Shri Harap Sarkar had been examined on 18-4-76 by Shri Kini the first Enquiry Officer and not by Shri Unnikrishnan. Shri Kini has not been examined to say that he had examined those witnesses in presence of the delinquent who had been given opportunity to cross-examine them but as said above the recorded close cross-examination on these witnesses peaks for itself and is sufficient to rebut the allegation of the delinquent. The other witnesses were examined in presence of Shri Unnikrishnan who has stated on oath denying that he examined any of those witnesses behind the back of the delinquent. He has further stated on oath that some times the delinquent signed the statements while on other occasions he refused to sign the proceedings. Shri Kini made a specific note to that effect at the end of the depositions which he recorded. It appears that the delinquent was deliberately signing some and not the other statements with the ulterior motive of raising a plea that those witnesses whose statements he did not sign were examined behind his back. Thus absence of the signatures of the delinquent on these depositions is no evidence in support of delinquent's version. I am, therefore, of the view that this allegation of the delinquent workman is false and mischievous.

46. Shri P. C. Joshi (W. W. 1) who had represented Shri Kapoor in the domestic enquiry before Shri Unnikrishnan stated that he was not allowed to cross-examine the witnesses. He was threatened of dire consequences reminding him of his reversion and the deposition were recorded by the Stenographer in short hand. Post script of those depositions was never shown to the delinquent or his representative. No such specific allegation was raised in the pleading nor any such objection was ever raised before the Enquiry Officer though there had been a profuse flow of objections before him. Shri Unnikrishnan has stated on oath that 'Shri Kapoor himself cross-examined the witnesses at length with the help of Shri Joshi when necessary. Typist recorded the statements of witnesses in question and answer form, faithfully. They were thereafter read over to the respective witnesses and then the signatures of the witnesses were obtained'. No Cross-examination was addressed to this part of the statement of Shri Unnikrishnan and there is no reason to disbelieve him on this point. The objection so raised has thus no merits specially in view of the fact that the recorded depositions show close and lengthy cross-examination.

47. Shri P. C. Joshi (W. W. 1) further stated in cross-examination that the Enquiry Officer put an embargo from the very beginning by saying that either Shri Kapoor or his representative Shri Joshi could speak and not the two simultaneously. He raised an objection on the point. No such objection has been shown to me to have been raised in writing and in any case the restriction so placed was reasonable and proper.

47. It is then alleged that the delinquent was not supplied with the list of the documents relied upon by the management nor the documents were supplied or shown to him. Shri P. C. Joshi stated that towards the end of the enquiry bundles of papers were handed over to Shri Kapoor in three instalments. Shri Kapoor W. W. 2 stated that he was not informed of the documents which Shri Unnikrishnan had called from the management and those documents were not shown to him during the enquiry and as such he had no occasion to cross-examine witnesses on those documents. The objections also appear to be untenable.

48. It is true that the management relied only on two documents list of which was supplied to Shri Kapoor as Annexure to the charge (See page 38 of Ex. M-83). The first of documents so relied upon was a statement dated 5-2-1976 of Shri Baboolal Sidhnath, Asstt. Fitter. The second document i.e. the Muster Roll of Integrio Section obviously related to charge Article III with which we are now not concerned. The former document obviously related to the charge Article I which was nothing else than the report of the concerned workman with respect to the incident of that date. The deposition of Shri Baboolal Sidhnath contains a note

(page 11 of the enquiry file Ex. M/83) which specifically says that copy of that document had already been supplied to Shri Kapoor and be cross-examined the witness in details with respect to that document (See page 18 and 19 of the Enquiry File Ex. M/83). The Enquiry Officer in his report relied only on this document with respect to the charge Article I.

49. With respect to charge Article II the Enquiry Officer relied upon the written report of Shri Panesar, Asstt. Works Manager, with whom the alleged occurrence had taken place. That statement (report) pages 42-43 of Ex. M/83) was read over to Shri Panesar in presence of Shri Kapoor and his representative (See page 92 of Ex. M/83). Shri Panesar admitted it to be correct. It was used as examination in chief and Shri Kapoor was allowed to put questions in cross-examination. He was cross-examined at length without raising any objection about that document, and even if the management omitted to enlist it the Enquiry Officer rightly brought it on record. The defence was not prejudiced because Shri Kapoor or his representative closely cross-examined this witness. No other document has been relied upon by the Enquiry Officer with respect to this count of the charge.

50. As regards the other documents they either relate to the charge Article III with which we are not concerned or are irrelevant. Hence allegation that they were dug out or relied upon without being formally proved is totally deprived of its sting. I may on the other hand say that the Enquiry Officer searched and relied upon unproved documents only for the benefit of the delinquent for coming to a conclusion in his favour with respect to the charge Article III.

51. Learned Counsel for the workman raised the plea that the Enquiry Officer took undue interest in examining a number of witnesses not listed for the management with respect to the incident in charge Article I. As explained by Shri Unnikrishnan he tried to be exhaustive by examining each and every person who in the course of enquiry appeared to be present on the scene of occurrence. The name of Shri Vankatramani was mentioned by Shri Baboolal Sidhnath in his initial report dated 5-6-1976 which was treated as examination-in-chief. Though the management omitted to include his name in the list of witnesses the Enquiry Officer thought it fit to call and examine Shri Vankatramani. However, when Shri Vankatramani was examined, he gave out a few more names as the persons who were present on the spot when the alleged incident relating to Article I took place. The Enquiry Officer proceeded to examine them as well. That is how as many as six witnesses were examined by the Enquiry Officer on his own motion even when they were not listed by the management.

52. Similarly with respect to the incident of charge Article I Shri S. Guha and Shri M. Krishna Murty were examined at the instance of the Enquiry Officer because they were named by Shri K. V. John defence witness as persons who were present at the time of occurrence. Though the Rule 14 (15) of C.C.S. (C.C.A.) Rules empowers the Enquiry Officer to call only such new evidence as may be necessary when there is an inherent lacuna or defect in the evidence which has been produced originally, yet in the present case even when there was no such inherent lacuna or defect the Enquiry Officer by way of abundant caution thought it fit to examine all the witnesses who could have seen the incident. This only indicates anxiety to hear all those who were discovered to be so conversant with the facts of the case. No mala fides can be presumed from these circumstances and no role of the prosecutor can be presumed from such a step of the Enquiry Officer. Admissibility of the statements of those witnesses who could not be examined by the Enquiry Officer without coming to the conclusion that there was any inherent lacuna or defect in the evidence of the listed witnesses of the management is a different question on which it is not necessary to make comments at present. In any case no rule of natural justice, which requires an opportunity to defend to be given to the delinquent came to be violated by such examination of these two last named witnesses at the instance of the Enquiry Officer after the close of the defence because there is no rule which may require that an opportunity to rebut the evidence of a court witness should be given to the parties. Therefore the plea that no such opportunity to rebut the statements of Shri Guha and Shri Krishna Murty, who were examined after the closure of the defence witnesses, was given to the delinquent, has not the force sufficient to invalidate the

domestic enquiry proceedings. Moreover Shri Kapoor was himself examined after the closure of this evidence, including the evidence of the two witnesses examined by the Enquiry Officer at the end, and he had ample opportunity to explain and comment upon that evidence. He did not say that he wanted to examine any further evidence for rebutting any of the facts disclosed by those two witnesses.

53. Clause (v) of Sub-rule (6) of Rule 14 of C.C.S. (C.C.A.) Rules require the disciplinary authority to forward to the Enquiry Officer 'a copy of the order appointing the presenting officer'. Sub-rule (11) says that the Enquiry Authority 'may require the presenting officer to produce the evidence'. Sub-rule (14) says that the witnesses shall be examined by or on behalf of the presenting officer and the presenting officer shall be entitled to re-examine his witnesses after they are cross-examined by the delinquent or his representative. Similar role of the prosecutor has been assigned to the presenting officer under Sub-rules (15), (16) and (19) of Rule 14 of C.C.S. (C.C.A.) Rules. These Rules thus, do contemplate the appointment of a Presenting Officer for conducting the case on behalf of the management or Disciplinary Authority before the Enquiry Officer. In case the presenting officer is not so appointed the complaining authority i.e. the Disciplinary Authority may itself appear before the Enquiry Officer and conduct his own case. However, the rules contemplating appointment of presenting officer are not mandatory and they themselves say that if there is no presenting officer then the disciplinary Authority may act. The rules are, however, silent about the situation where neither the Disciplinary Authority personally comes to represent its case before the Enquiry Officer nor appoints a presenting officer. Neither it can be said nor it will be consistent with the spirit of the rules to hold that in such a situation whole of the enquiry shall stand vitiated because obviously in the absence of an agency to prosecute the Enquiry Officer will have to put questions for clarification either for the purpose of examining the management's witnesses or for the purpose of eliciting facts from the defence witnesses, be the present case no presenting officer was appointed by the management. Under the circumstances it was incumbent on the Enquiry Officer to put questions to the witnesses of the management and also put questions to the defence witnesses for clarification of facts even though those questions amounted to cross-examination. In the case of Shri T. R. Varma cited above at pages 1362 and 1363 'where the enquiring officer had himself put searching questions and elicited all relevant facts', it was held that 'the charge that the enquiry was defective for this reason cannot be sustained.'

54. In the present case with respect to the management's witnesses the Enquiry Officer either put their complaints in writing to them as their statements by way of examination-in-chief as was done in the case of Shri Baboolal Sidhnath and Shri Panesar complaints with respect to charge Article I & II respectively or he simply put the questions as to what the witness knew about the incident or could throw light on it. Merely putting such questions or eliciting allied facts from the management's witnesses will not reduce the Enquiry Officer to the position of prosecutor specially where he is faced with a situation that no presenting officer is appointed by the management nor the Disciplinary Authority is forth coming to put forward its case. The Enquiry Officer was himself bound to examine the witnesses called by him.

55. Similarly searching out papers and proving them on record or relying on them without formal proof, are not the matters connected with the charge Articles I & II. Hence the conduct of the Enquiry Officer with respect to the charge Article I & II, is not derogatory to his position of Enquiry Officer as such. The contentions that the Enquiry Officer played the role of a prosecutor is therefore not made out and at least the role in that respect, if any, was so insignificant and innocuous that it could neither create a presumption of bias nor it resulted in the denial of a fair opportunity to defend.

56. It is argued that the Enquiry Officer played the role of the witness when he placed reliance on some unproved documents only because he knew the signatures of the officers who had signed the same. Again no such document has been relied upon with respect to charge Articles I & II. Documents i.e. the complaints which were relied upon with respect to Articles I & II were duly proved. They were put to the respective authors of those documents and the delinquent thoroughly cross-examined them with respect to them. Thus so far as charge Articles I & II are concerned the Enquiry Officer did not reduce himself to the position of witness. There is no

need to consider whether the admission of the documents without formal proof with respect to charge Article III was justified or not.

57. After the incorporation of Sec. 11A of the Industrial Disputes Act, the jurisdiction and responsibility of the Tribunal has enlarged. It has been held in *K. S. Sundram Vs. Industrial Tribunal and other* (1979 (38) FLR 228 Kerala) that 'where the enquiry was found to have been properly held the Tribunal has a further and equally important duty to satisfy itself whether there was legally acceptable evidence before the Enquiry Officer to sustain the conclusion reached by him (Enquiry Officer)'.

58. With respect to the incident covered by charge Article II the initial complaint of Shri A. K. Panesar dated 14-8-75 said that he saw Shri Kapoor arguing hotly with Shri Dighe and Shri Agarwal Junior Supervisors. Both these persons were examined as witnesses and they denied that there were any hot arguments between them and Shri Kapoor. Shri Agarwal wanted to take out one man from the crew of six, working on the Integlio Machine No. 4 while Shri Kapoor was saying that the General Manager had agreed with him that the normal strength of the crew shall be six. Loud voice was necessary for making it audible to the other side in the face of the noise created by the working of about five Integlio Machines in that room. Thus from there loud voice one could not jump to the conclusion that the delinquent's temper was also raised. Shri Panesar thus made an unsuccessful attempt to falsely introduce an element of hot temper in the talks in order to aggravate the seriousness of the delinquency and the seriousness of the situation in order to justify his inference.

59. Shri Kapoor's insistence on the crew of six men on his Integlio Machine No. 4 does not appear to be wholly unjustified. Shri A. P. Dighe and others have corroborated Shri Kapoor on the point that he was asserting that he had raised that question before the General Manager who had agreed for a six men crew on the Integlio machine. His conduct adds strength and veracity to his statement that he had come to such understandings with the General Manager because he boldly went to the General Manager immediately and brought him to the spot. There is no allegation that the General Manager said anything to the contrary about the giving of such an assurance of a six men crew. It was, therefore, natural for Shri Kapoor to resent the withdrawal of one man from the crew of six persons working on his Integlio Machine, but there was no question of raising of any such temper. Asserting a need based right for a six men crew required for the working in a machine as per understanding reached with the General Manager was neither a crime nor a conduct unbecoming of a Government servant.

60. Stopping of the machine on the withdrawal of one man crew, by him or on his direction does not amount to strike because strike is by a combination of persons. There is no evidence of any such concerted action though attempt was made by some of the witnesses to further complicate the issue by saying that Shri Kapoor had raised a cry calling upon all the persons in the Integlio Machine Section to stop their machines. Most of the witnesses have not imputed any such action to Shri Kapoor. Some of the witnesses have said that the machine was stopped for cleaning the plate but even if they are disbelieved as siding the delinquent it is obvious that the stoppage of the machine by him was not such an act by any stretch of imagination as could be covered by Rule 3(1)(iii) of Central Civil Servants (Conduct) Rules which speak of unbecoming conduct of a Government servant. The phrase cannot be given such a wide sweep as to include all types of conduct. In my opinion the words 'unbecoming conduct' bring into their fold morally reprehensible acts likely to bring the service to disrepute as well as those acts which are not expected from a normal reasonable employee looking to his status and position, authority and responsibility as an occupier of an office in the Government. Thus he stopping of the machine was not a conduct covered under Rule 3(1)(iii) which has been specifically mentioned in charge Article II.

61. It is alleged that Shri Kapoor took aside Shri Panesar and threatened him of dire consequences. On this point there is the solitary evidence of Shri Panesar. As discussed above Shri Panesar tried to introduce false facts for aggravating the situation and as such it is risky to punish an employee on the basis of his solitary statement, specifically when there was no

reason or occasion for advancing such a threat to Shri Panesar. The adjustment of the crew was being demanded by Agarwal. Shri Kapoor could at the most feel aggrieved against Shri Agarwal. There was no reasonable cause to extend threat to Shri Panesar who had only come to intervene in the matter. It should be remembered that Shri Panesar was in the position of a complainant only. His statement cannot be deemed to be corroborated by his own earlier statement in the report which he had submitted on 5-2-1976 because there is no endorsement on that report which may show that it was actually submitted sometime on or about that date. Had it been really submitted the concerned officer would have certainly taken some action on it or made some endorsement on it calling for some report or enquiry or at least he might have passed an order that it may be filed. But the report without any such endorsement can only raise an inference that it was prepared at or about the time of framing the charges against the delinquent in order to give a prop to charge Article I on which immediate action of suspension had been taken. It is again improper that such a serious report against an employee by his officer addressed to various authorities brought out no flutter in any quarter whatsoever and it remained a dead letter for more than six months waiting for the next incident.

62. It is again strange that the management which was so prompt and energetic as to immediately pass an order of suspension when the alleged incident of assault on a co-worker took place, assumed an attitude of utter apathy and inaction when its own officer was assaulted at the work site. Did the management disbelieve the report of Shri Panesar and therefore sent it to the cold storage? What was the reason for this long silence? Did the management file the report for some reason or the other treating it as closed affair? There is no answer to all these questions. It is not clear why the General Manager was not examined to prove that the matter was not closed nor was filed, but was simmering up slowly for some reason or the other or the action on it was kept pending in order to watch the further conduct of the delinquent. This inaction for over six months on the report of Shri Panesar does raise a presumption that the management had elected to treat the affair as closed without taking any action against Shri Kapoor. In Halsbury's Laws of England, 11th Edition Vol. 25 page 488 Aft. 940 it is said that a master who, with full knowledge of his servant's misconduct elects to continue him in his service, cannot subsequently dismiss him for the offence which he had so condoned. Election to condone can either be specific and pronounced or may be implied from the fact of permitting the employee to continue in service without initiating any action against him. It has been held in quite a few cases that presumption of condition can be drawn from the fact that notice to show cause was not given to the delinquent for a length of time. As said above, the management has given no explanation for his long silence. From these circumstances I am inclined to presume that the management had condoned the alleged misconduct for one reason or the other and had closed the affair. That being so, a fresh charge for the same incident at this late stage was not maintainable against Shri Kapoor. Moreover as discussed above there is no reliable evidence to prove that charge and the findings of the Enquiry Officer with respect to charge Article II is therefore perverse.

63. So far as charge Article I is concerned the complaint of Shri Baboolal Sidhnath was that at about 13.45 hours Shri Kapoor approached and threatened him that if he attended the Union meeting that day or said anything there, he would face termination of his service which termination shall be managed by the delinquent. When Shri Baboolal Sidhnath asked as to what was his fault Shri Kapoor repeatedly slapped him on his face. The alleged conduct appears to be unnatural and irrational. Shri Baboolal ran to desheeting Section but was chased by Shri Kapoor there. Seeing that he was being chased he raised a cry and attracted several workers to the scene including S. P. O. and Shri Harap Sarkar Supervisor. Both of them were then taken out from there.

64. On the other hand, the version of the incident as given by Shri Kapoor is that Shri Baboolal Sidhnath, who had been turned out of the Union, was trying to raise a signature campaign on a piece of white paper which he had smuggled into the factory, when bringing of such paper is prohibited. Shri Kapoor tried to snatch away paper from him in order to produce it before the authorities for showing that Shri Baboolal Sidhnath had smuggled it in the factory premises against the

prohibition. In that snatching the paper was torn into two pieces, one of which came in the hands of Shri Kapoor. On this Shri Baboolal Sidhnath assaulted Shri Kapoor and tried to snatch away that paper. It was in the course of that assault that Shri Baboolal raised a cry and tore out the shirt of Shri Kapoor.

65. The Enquiry Officer has made no attempt to weigh as to which of the two versions was correct or was supported by the witnesses. On the other hand, it is so peculiar that when in his report itself Shri Baboolal Sidhnath admitted that it was he who had raised the cry and attracted the other workers to the scene of occurrence, the Enquiry Officer came to a finding that it was Shri Kapoor who had raised the cry and had attracted other workers to the scene of occurrence and created a noisy scene of commotion. Such a finding cannot but be called grossly perverse when the version of Shri Kapoor on this point stands corroborated by several witnesses.

66. The other material aspect of the report of Shri Baboolal is the total omission of any narration of the fact that there was hand to hand fight or scuffle or manhandling between him and Shri Kapoor. None except Shri Girish Tiwari had a glimpse of that scuffle. Even the Enquiry Officer at one place in his report came to a finding that the manhandling was not proved yet at another place his report states to the contrary when he finds that Shri Kapoor picked up quarrel with Shri Baboolal Sidhnath which resulted in hand to hand fight between them. These contradictory findings and observations do make the report perverse. The omission of this important fact in the report of Shri Baboolal Sidhnath stands totally unexplained.

67. Most of the witnesses have deposed that, (i) there was some paper, (ii) a signature campaign was raised by Shri Baboolal Sidhnath, (iii) that paper was tried to be snatched by Shri Kapoor, and (iv) the pocket of his shirt was seen to have been torn in the affair. (v) None of the witnesses testifies the fact that repeated slaps were given by Shri Kapoor on the face of Shri Baboolal Sidhnath. (vi) No witness saw any mark of injury in his face. From these established facts it is obvious that witnesses fully supported the version given by Shri Kapoor and not the version given by Shri Baboolal Sidhnath. It was, therefore, perverse to give a finding in support of the version given by Shri Baboolal Sidhnath.

68. The Enquiry Officer had a misconception of the legal position when he said that the snatching of the paper was an illegal act of taking law into his own hands by which Shri Kapoor initiated the incident. Trying to snatch a piece of paper smuggled against the prohibition to bring such a paper in the factory premises was neither illegal nor it amounted to taking law in one's own hands. On the other hand, the attempt to snatch back that torn piece of smuggled paper with a view to save it from the eyes of the officers before whom it could be produced by Shri Kapoor did amount to assault on him and it was Shri Baboolal who had taken the law in his own hands with a view to save his own skin. The fun is that the management left Shri Baboolal Sidhnath free even when he had smuggled the piece of paper into the factory premises and thereby committed the misconduct and even when he had taken the law in his own hands, assaulted Shri Kapoor and tore-out his shirt raised a voice and attracted other workers for creating commotion, it charge-sheeted law abiding Shri Kapoor throwing whole blame on him and finding him guilty for the misconduct which was not established at all by the evidence on record. Leaving the machine for few minutes after informing the supervisor or even without informing him as they generally do when they go to ease themselves, was no crime. Thus no conduct unbecoming of a government servant could be attributed to Shri Kapoor in that affair and the finding of the Enquiry Officer on charge Article I is thus not only totally perverse but also indicative of victimisation for union activities for which there is ample evidence on record. I need not go into those details as the charges themselves are not established in my opinion.

69. It is, therefore held that suspension in contemplation of holding a domestic enquiry was justified as permissible under the Rules but the order of repatriation to the parent office i.e. to the Government Press Aligarh, being without any legal basis and not justified by the evidence on record was wholly unjustified.

70. The findings of the Enquiry Officer are there quashed. Shri Kapoor is found not guilty of all the charges levelled against him. The order of his repatriation to Government Press, Aligarh under Rule 20 of Central Civil Service (Classification, Control and Appeal) Rules, 1965 is quashed. Shri R. K. Kapoor shall be deemed to have continued in the employment of Bank Note Press, Dewas, he shall be reinstated within one month of the publication of this award and shall further be paid all back wages from the date of suspension to the date of reinstatement. He shall further be granted all consequential benefits of continuity of service, annual increments, confirmation and promotion if accrued due during the said period. The management shall further pay Rs. 200 as costs to the Union.

S. N. JOHRI, Presiding Officer

[No. L-42012(12)/77-D. II(B)]

HARBANS BAHADAR, Desk Officer.

New Delhi, the 29th August, 1979

S.O. 3097.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, New Delhi in the industrial dispute between the employers in relation to the management of State Bank of Bikaner & Jaipur, Jaipur and their workmen over termination of services of Shri Jagdish Singh and 19 others, which was received by the Central Government on 8-8-79.

BEFORE SHRI MAHESH CHANDRA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, NEW DELHI

I.D. No. 37 of 1978

In re :

The General Secretary, Rajasthan Bank Employees Union C/o Punjab National Bank, Bikaner.

... Petitioner

Versus

The General Manager, State Bank of Bikaner & Jaipur. S.M.S. Highway, Bikaner

PRESENT :

Shri R. L. Khandelwal—for the workman.

Shri P. Surya Narayan—for the Management.

AWARD

The Central Government as appropriate Government vide its Order No. L-12011/60/76-D-II dated the 20th March, 1979 made a reference to the Tribunal u/s 10 of the I.D. Act, 1947 :

"Whether the action of the State Bank of Bikaner and Jaipur, Jaipur in terminating the services of Shri Jagdish Singh and 19 others (listed in the annexure) with effect from the dates indicated against each, without fulfilling the conditions laid down in Sec. 25F of the I.D. Act, 1947 is justified? If not to what relief are these workmen entitled?"

2. On receipt of the reference usual notices were sent to the parties and before any statement of claim was filed by the workmen, the Management filed an application stating therein that the parties have compromised the dispute vide Ex. S/1. It was ordered to be recorded in so far as it was beneficial for the workmen. The statement of Shri R. L. Khandelwal and Shri P. S. Suryanarayan, the representatives of the Union and the Management respectively was recorded in which it is stated by them that "Parties have arrived at settlement Ex. S/1. A no dispute award be made."

3. In view of the statement recorded above, a no dispute award is hereby made in the reference and parties are left to bear their own costs.

Further Awarded :

That requisite number of copies of the award may be sent to the appropriate Government for necessary action at their end.

ANNEXURE

S No	Name of the employees	Branch which worked last	Date of termination
1	Sh Jagdish Singh	Jamwa Ramgarh	12-7-1976
2	Sh Raj Kumar Kundnani	Jaipur (Regd Office)	6-3-1976
3	Sh Prabhu Dayal Rao	-do-	24-2-1976
4	Sh Prem Kumar Saini	-do-	16-8-1975
5	Jagdish Pd Vijay	Jaipur T C	14-11-1975
6	Sh Tara Chand Jain	C A Deptt Jaipur	1-8-1975
7	Sh Vishnu Prakash Garg	Ramganj, Jaipur	11-1-1976
8	Sh Shyam Lal Verma	Head Office Jaipur	26-2-1976
9	Sh Inder Kumar Jain	S M S Jaipur	8-4-1975
10	Sh Niranjan Das Kalwani	Head Office, Jaipur	28-12-1975
11	Sh Banwari Lal Sharma	Alwar	23-7-1976
12	Sh Satya Narain Sharma	S M S Jaipur	29-8-1973
13	Sh Swaroop Narain	Jaipur	27-12-1975
14	Sh Kishan Singh	Bikaner	19-9-1975
15	Sh Shyam Sunder Pandey	Bikaner C A O	25-6-1974
16	Sh Shankar Lal Saini	Shri Mandhopur	18-3-1976
17	Sh Govindram	Jaipur	9-3-1976
18	Sh Mohan Singh	Sri Madhopur	26-2-1976
19	Sh Hari Singh Bhati	Bikaner	13-6-1972
20	Sh Jitendra Kumar	Gikar	28-7-1976

Dated the 30th July, 1979

MAHESH CHANDRA,
Presiding Officer

AGREEMENT BETWEEN THE ASSOCIATE BANKS (EXCLUDING STATE BANK OF SAURASHTRA) AND THE STATE SECTOR BANK EMPLOYEES' ASSOCIATION NAMES OF THE PARTIES :

- (i) State Bank of Bikaner & Jaipur
- (ii) State Bank of Hyderabad
- (iii) State Bank of Indore
- (iv) State Bank of Mysore
- (v) State Bank of Patiala
- (vi) State Bank of Travancore

hereinafter called the 'Associate Banks'

(2) Workmen employed in the above Banks represented by the State Sector Bank Employees' Association, hereinafter called the 'Association'

Representing the Associate Banks

- (i) Shri M B Dube, Managing Director, State Bank of Bikaner & Jaipur, Jaipur
- (ii) Shri A S Mongia, Managing Director, State Bank of Hyderabad, Hyderabad
- (iii) Shri P S Santhanakrishnan, Managing Director, State Bank of Indore, Indore
- (iv) Shri M B Deshmukh Managing Director, State Bank of Mysore Bangalore
- (v) Shri S S Sahni, Managing Director, State Bank of Patiala, Patiala
- (vi) Shri S Rangachari, Managing Director, State Bank of Travancore, Trivandrum

Representing the Association

- (i) Shri P S Sundaresan, Vice-Chairman, State Sector Bank Employees' Association

(ii) Shri T K V Nair General Secretary, State Sector Bank Employees' Association

This Agreement made on the One thousand nine hundred and seventy eight between the Associate Banks of the one part and the State Sector Bank Employees' Association registered under the Indian Trade Union Act and having its Office at Trivandrum of the other part ;

Whereas in pursuance of and as sequel to the judgment of the Supreme Court dated the 16th January 1976, in Civil Appeals Nos MDS 933 and 934 of 1975 (State Bank of India Vs N Sunderamony) hereinafter referred to as "the judgement" Certain temporary employees whose services stood terminated have been and/or are being and/or will be taken back by the Associate Banks in their service, such temporary employees being hereinafter referred to as the "concerned temporary employees",

Whereas differences of opinion exist in regard to the benefits of back-wages, seniority in service, increments and other benefits that would flow to the temporary employees from the judgment

Whereas the Association has been contending that all the concerned temporary employees should be given all full benefits as if there have been no termination at all,

Whereas the Association Banks have been contending that the judgment of the Supreme Court is clear that the employee who has been directed to be reinstated by that judgment will be appointed de novo, will be ranked below all permanent employees and will be deemed to be a temporary hand and that he will not be allowed to claim any advantages in the matter of seniority or other priority inter se temporary employees and that as regard the emoluments after the termination, although the judgment stated that the employee will have to pursue other remedies, if any, it really meant that the employee would have been entitled to such emoluments only if the direction in the judgment had not been that the employee should be appointed de novo ,

Whereas the Association and some of the concerned temporary employees individually have been raising disputes with the Associate Banks and that, in fact, in some cases, the Central Government has referred the dispute for adjudication by Industrial Tribunals constituted under the Industrial Disputes Act, 1947,

Whereas the Associate Banks and the Association have discussed the issues in all its aspects and in all its details and have considered that it would be just, fair, and reasonable having regard to the various circumstances of the case and the interests of the concerned temporary employees a settlement of the dispute should be made as hereinafter appearing —

Now these presents witness and it is hereby agreed by and between the Parties hereto as follows :—

- 1 That each of the concerned temporary employees will be paid back-wages together with such increments as would have been admissible to him as a temporary employee in the Associate Banks' service for the period upto the date of reinstatement, from the date of judgment, namely 16th January, 1976, if the date of last termination of his services was earlier than the 16th January, 1976 and from the date of the last termination if it is later than the 16th January, 1976
- 2 Notwithstanding anything in clause 1 above, none of the concerned temporary employees will be entitled to be paid more than the short fall in wages, if any, between the back-wages and the wages earned by him during the period by an employment under any other employer. A statement by the concerned temporary employee setting out whether he was employed during the whole or part of the period referred to in clause 1 above and if employed the total remuneration that he received from his employer during that period duly verified as true and correct by two respectable persons known to the Associate Banks shall be deemed as adequate and conclusive evidence of the fact or otherwise of the employment of the concerned temporary employee

during the whole or part of the period referred to in clause 1 above and the remuneration he received from the employer.

3. The procedure that will be adopted for the payment of the back-wages referred to in clause 1 above will be that the concerned temporary employee shall submit an application setting out the claim to the authority under whose administrative control he has been reinstated in the Associate Bank's service along with a statement on the lines set out in clause 2 above. Unless the said authority has any reasonable grounds to come to the conclusion that the statement does not contain true and correct particulars, the payment shall be made as early as possible on receipt of the application. If at any time it comes to the notice of the Associate Bank that the averments made in the statement referred to above are untrue and false in any respect, the concerned temporary employee will be liable for disciplinary action on the basis that it is a gross misconduct.
4. The concerned temporary employees will not be eligible for any other special benefits including seniority in service as flowing from the reinstatement in service other than what are normally provided for in the terms and conditions of service of temporary employees in the Banks.
5. All disputes raised by the Association, its Units or any individual employee or anybody else in regard to benefits of back-wages, a seniority in service, increments or other benefits flowing from reinstatement have been settled by virtue of this Agreement and that the parties to such disputes shall report this Agreement for being recorded by any authority like an Industrial Tribunal, Labour Court, Conciliation Officer or any other authority before whom disputes may be pending and all such disputes shall no longer subsist and be deemed to have been withdrawn.

In witness whereof the parties hereto have executed these presents on the day, month and year first above written.

SIGNED AND DELIVERED on behalf of the State Bank of Bikaner & Jaipur by its Managing Director in the presence of T.N. Rama

Sd/-
(M.B. Dutta)

SIGNED AND DELIVERED on behalf of the State Bank of Hyderabad by its Managing Director in the presence of(Sd/-)

Sd/-
(A.S. Mongia)

SIGNED AND DELIVERED on behalf of the State Bank of Indore by its Managing Director in the presence of(Sd/-)

Sd/-
(I.S. Santhanakrishnan)

SIGNED AND DELIVERED on behalf of the State Bank of Mysore by its Managing Director in the presence of(Sd/-)

Sd/-
(M.B. Deshmukh)

SIGNED AND DELIVERED on behalf of the State Bank of Patiala by its Managing Director in the presence of(Sd/-)

Sd/-
(S.S. Sahni)

SIGNED AND DELIVERED on behalf of the State Bank of Travancore by its Managing Director in the presence of(Sd/-)

Sd/-
(S. Rangachari)

SIGNED AND DELIVERED on behalf of the State Sector Bank Employees' Association by its Vice-Chairman and General Secretary in the presence of

Sd/-
(P.S. Sundaresan)
Vice-Chairman

Sd/-
(T.K.V. Nair)
General Secretary

[No. L-12011/60/76-D.II.A]

S.O. 3098.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, New Delhi in the industrial dispute between the employers in relation to the management of State Bank of India, Jaipur and their workman over termination of the services of Shri S. K. Malhotra, Cashier w.e.f. 7-12-1974, which was received by the Central Government on 8-8-1979.

BEFORE SHRI MAHESH CHANDRA, PRESIDING
OFFICER, CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT, NEW DELHI

I.D. No. 84 of 1978

In re :

Shri S. K. Malhotra, Plot No. 205, Ram Gali No. 2,
Raja Park, Jaipur-4. Petitioner.

Versus

The Branch Manager, State Bank of India, Station
Road, Jaipur.

AWARD

The Central Government as appropriate Government vide its order No. L-12012/184/76-D.II.A, dated the 17/20th October, 1978 made a reference to this Tribunal u/s 10 of the I.D. Act, 1947 :

"Whether the action of the management of State Bank of India, Jaipur in terminating the services of S. K. Malhotra, Cashier w.e.f. 7-12-1974 is legal and justified? If not, to what relief is the workman entitled?"

2. On receipt of the reference usual notices were sent to the parties and a statement of claim was filed on behalf of the workman. Thereafter the case was fixed for filing the written statement by the Bank but before filing the written statement Shri S. S. Sharma appeared before me on 8th March, 1979 and stated verbally that the workman has been reinstated by the Bank but even then I fixed the case for reply on 20th April, 1979. On 20th April, 1979 filed a reply dated the 12th April, 1979 in which it was stated by the Bank that the workman has already been reinstated in the Bank's service as permanent employee and therefore a no dispute award be made in this reference. But thereafter the workmen did not appeared before me though the case was fixed for hearing three times and lastly on 13th July, 1979 I passed the following orders :

"The statement of claim has been filed. The Bank in reply has filed its statement to the effect that the workman has since been reinstated. It appears that it is for this reason that none is appearing for the workman so the award is reserved."

3. In view of the above, a no dispute award is hereby made in this reference and parties are left to bear their own costs.

21st July, 1979. MAHESH CHANDRA, Presiding Officer

[No. L. 12012/184/76-D.II.A.]

S.O. 3099.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central

Government Industrial Tribunal, New Delhi in the industrial dispute between the employers in relation to the management of Hindustan Commercial Bank Ltd., Head Office, Kanpur and their workman over absorbing and confirming Shri Shanker Dhawan, temporary clerk in the Lucknow Branch w.e.f. 8-5-1978 without giving him the benefits of his past temporary service, which was received by the Central Government on 8-8-1979.

BEFORE SHRI MAHESH CHANDRA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, NEW DELHI

I.D. No. 59 of 1978

In re :

The State President, U. P. Bank Employees Congress, 395/387, Deen Dayal Road, Asharfabad, Kanpur (Regarding Shri Shankar Dhawan).

Versus

The General Manager, Hindustan Commercial Bank Ltd., H. O. Birhana Road, Kanpur.

PRESENT :

Shri O. P. Nigam—for the workman.

Shri B. D. Sharma—for the Bank.

AWARD

The Central Government as appropriate Government vide its Order No. L-12011/68/D.IIA dated the 5th/24th July, 1978 made a reference to this Tribunal u/s 10 of the I.D. Act, 1947 ;

"Whether the action of the management of Hindustan Commercial Bank Ltd., Head Office Kanpur in absorbing and confirming Shri Shanker Bhawan, temporary clerk in the Lucknow Branch, of the Bank w.e.f. 8-5-1978 without giving him the benefits of his past temporary service is justified ? If not, to what relief is the workman entitled ?

2. On receipt of the reference usual notices were sent to the parties and a statement of claim was filed on behalf of the workman. Thereafter a written statement was also filed. In the meanwhile talks for compromise started between the parties and finally a compromise was arrived at between the parties. It was ordered to be recorded in so far as it was beneficial for the workmen. The statements of Shri O. P. Nigam and B. D. Sharma, for the parties were recorded in which it is stated by them that 'parties have settled this matter vide Ex. S/1 settlement. It may be recorded and an award be made as a no dispute award in this matter. Parties be left to bear costs.'

3. In view of the statement recorded above, a no dispute award is hereby made in the reference and parties are left to bear their own costs.

MAHESH CHANDRA, Presiding Officer.

[No. L-12011/68/78-D.IIA.]

New Delhi, the 30th August, 1979

S.O. 3100.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, New Delhi in the industrial dispute between the employers in relation to the management of Bank of Baroda, New Delhi and their workman over termination of services of Shri M. C. Sharma, Overseer Clerk with effect from 13th September, 1972, which was received by the Central Government on 8-8-79.

BEFORE SHRI MAHESH CHANDRA, PRESIDING OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, NEW DELHI

I.D. No. 149 of 1977

In re :

The President, Bank of Baroda Employees' Association, C/o Bank of Baroda, Asaf Ali Road New Delhi.

Versus

The Regional Manager, Bank of Baroda, Parliament Street, New Delhi.

PRESENT :

Shri B. K. Chaudhry—for the workman with the workman Shri S. S. Sethi—for the Bank.

AWARD

The Central Government as appropriate Government vide its order No. L. 12012/167/73/LR/III dated the 28th November, 1974 made a reference u/s 10 of the I.D. Act, 1947 to Industrial Tribunal, Delhi in the following terms :

"Whether the action of the management of Bank of Baroda in extending the period of probation of Shri M. C. Sharma, Overseer Clerk and subsequently terminating his services with effect from the 13th September, 1972 during the extended period of probation when there was no adverse report against him, is justified? If not, to what relief is he entitled?

2. On receipt of the reference it was ordered to be registered and notices were issued to the parties for 21-1-1975, in pursuance whereof a statement of claim was filed by the workman. Thereafter a written statement was filed by the Management and finally a replication was also filed by the workman. Upon the pleadings of the parties the following issues were framed by Shri D. D. Gupta, the Industrial Tribunal, Delhi; vide his order dated the 5th June, 1975 :

1. Whether a demand notice was served on the Management raising industrial dispute?
2. Whether there is a valid and proper espousal?
3. Whether the term of reference and the statement of claims are at variance and its effect?
4. As in the term of reference?

3. Then the case was adjourned for the evidence of the workman. After the evidence of the workman was recorded evidence of the Management was also recorded and the case was adjourned for arguments. In the meanwhile this case was ordered to be transferred to this Tribunal vide order No. L-12025(21)/76-DIIA/DIV(B) dated the 13th May, 1977 by the appropriate Government and this is how this case has come up for disposal before this Tribunal.

4. On receipt of the reference by way of transfer it was ordered to be registered and notices were issued to the parties and an application was filed on behalf of the Management for leading additional evidence which application was opposed by the workman but the said application was allowed vide my order dated the 19th September, 1977 on payment of Rs. 50/- as costs and after the costs were paid the additional evidence of the Management was recorded.

5. Before arguments could be heard an application was moved on behalf of the Management that this case has not been properly transferred to this Tribunal and in consequence the proceedings were held up in the case for considerable period and finally a revised order of transfer was made by the appropriate Government and as a result thereof the following statement of representatives of the Bank and of the workman was recorded on 27-7-78 :

'the proceedings so far recorded by this Tribunal may be adopted and the case be now proceeded from the stage it stands thereafter.'

6. I have heard the counsel for the workman and the representative of the Management and have gone through the file and after giving my considered thought to the matter before me I have come to the following findings on these issues.

7. It would be appropriate to mention here that in order to prove his contentions the workman has examined in all three witnesses including himself as W.W. 3 while the Management has examined six witnesses including M.W. 6, Shri C. R. Deshmukh, the Personnel Administrative Manager of the Bank. The parties have also produced documents.

8. From the pleadings of the parties I find that it has been urged on behalf of the workman that the Bank of Baroda had engaged M/s. Master Sathe & Kothari as the Architects for the construction of their building at 16, Parliament Street, New Delhi; that Shri N. C. Sharma the workman was engaged by the said Architects in March, 1966 who worked as a Store Keeper and he continued to work as such till December, 1967; that thereafter the workman was issued a regular appointment letter dated the 20th December, 1967 by the said Architects appointing him as a Store Keeper w.e.f. 1-12-1967 at the rate of Rs. 300/- P.M. and it was issued with the consent and sanction of the Bank; that thereafter his appointment was extended from time to time until 31-3-1971; that till this period the workman had been discharging his duties conscientiously and diligently and he was allowed increments by the said Architects in consultation with the said Bank; that thereafter his services were discontinued w.e.f. 31-3-1971; that afterwards the workman approached the Custodian of the Bank for regular appointment and in consequence he was issued an appointment letter on 15th December, 1971 by the Assistant General Manager of the Bank at Delhi appointing as Overseer Clerk in the starting pay of Rs. 170/- with usual allowances and four advance increments with immediate effect; that the said appointment letter inter-alia stipulated that the workman shall be on probation for a period of six months although it was not intended to be acted upon; that thereafter the workman received a letter dated 2-6-1972 from the Bank intimating him that his probation period has been extended by another three months as his work was not found satisfactory and before this extended period was completed the services of the workman were terminated and when the workman after recovery from his illness with which he was down on the evening of 13th September, 1972 he reported for duty on 21-9-72 he was not allowed to resume duty and was told that his services had been terminated; that the termination of his services was illegal, un-enforceable and void and an act of victimisation and vindictiveness for the grounds mentioned in para 25 of the statement of claim.

9. The Management inter-alia contested this claim of the workman on the ground that no demand notice was served on the Management; that there was no proper espousal of the case of the workman; that the statement of claim is at variance with the order of reference and as such liable to be rejected. On merits the Bank has controverted the allegations of the workman and has alleged that the initial appointment of the workman as Store Keeper not with the Bank and rather was with the Architect. Finally it is urged by the Bank that the workman was appointed as Overseer Clerk with the Bank w.e.f. 15-12-1971 and he was put on probation for six months and since his work was found to be unsatisfactory probation was in accordance with the provisions of para 508 of Sastry Award improved upon by para 21.18 of the Desai Award extended by a period of three months and inasmuch as the workman did not show any improvement during this extended period his services were terminated. It has been stated by the bank that the termination is valid, enforceable and in accordance with law and rules and the workman was not entitled to any relief what-so-ever. It is also urged by the Bank that the workman had not in fact fallen ill and rather had contumaciously on the 13th December refused to take delivery of termination letter and rather absented thereafter and conclusively there was no force in his contention; that he was not permitted to rejoin later on.

10. Issue No. 1:

W.W. 1 is Shri V. P. Bhargava, a Stenographer of the Asstt. Labour Commissioner (Central) who has produced file No. Con. 1/11(64)71 including 61 correspondence pages and one note sheet which is Ex. W/1. He has not been cross examined at all. W.W. 2 is Shri K. Raman, Treasurer of the Bank of Baroda Employees Association States of Delhi and Punjab and he has testified that Shri M. C. Sharma was a member of this Association and a letter of demand was served upon the Management and the copy thereof is Ex. W/2. During cross examination he has admitted that Ex. M/1, 2 and 3 the enclosures which were sent with Ex. W/2 to the Management.

11. W.W. 3 is the workman himself and he has in his statement in chief stated that he had represented to the Bank of Baroda Employees' Association who then sent a letter to the Bank, copy whereof is Ex. W/2 and that the Association and he continued to be correspond with the Bank even thereafter but nothing was done, and ultimately he sent Ex. W/10 to the Custodian of the Bank under UPC. He has produced copy of UPC which is Ex. W/11 and also copy Ex. W/12 which was sent by the Association. From his cross examination I find that nothing material to bely his statement in chief on this aspect of the matter has been brought out by the Management. The net result of the testimony of the three witnesses is that it is established that a demand notice was served upon the Management raising the Industrial Dispute in the instant case. Incidentally it may be mentioned here that the very cross examination of W.W. 2 is an admission of factum of service of demand notice upon the Bank when the Bank puts the witness a question that the letter referred to by W.W. 2 had two enclosures. Furthermore the contention of the Bank in the written statement is that the letter of termination was presented to the workman on the 13th September, 1972 and he refused to take notice thereof. In view of this fact I do not find any weight in the contention of the Bank that the demand notice was prior to service of the order of termination. The termination order had in fact according to very contention of the Bank come to the knowledge of the workman and it was only a technicality of formal service thereof which remained in abeyance and hence the demand notice by the Union would be as effective a demand as visualised by law. In view thereof issue no. 1 is decided in favour of the workman and against the Management.

12. Issue No. 2 :

It is not denied by the Bank that a notice was received by them from the Association and along therewith two enclosures were received. Reference in this behalf may be made to the cross examination of W.W. 2. In the face thereof it would be late in the day to accept that the Union had not espoused the matter. Espousal needs according to the Management a formal resolution by the Union but this is a matter between the workman, members of the union and it would not be available to the Bank to find fault with the espousal thereof in this case. Once it is established that the union had taken up the matter with the Bank it would be deemed to have been established that espousal has been made by the Union. This issue is accordingly decided in favour of the workman and against the Management—Bank.

13. Issue No. 3 :

I have perused the order of reference. The scheduled thereof reads as under :

'Whether the action of the management of Bank of Baroda in extending the period of probation of Shri M. C. Sharma, Overseer Clerk and subsequently terminating his services with effect from the 13th September, 1972 during the extended period probation when there was no adverse report against him, is justified? If not, to what relief is he entitled?

It is urged on behalf of the Management the statement of claim is a variance with the order of reference. Mere fact that some extraneous matters have been mentioned by way of preliminary objection or some irrelevant matter have been even interposed by the workman in its statement of claim does not and cannot lead me to the conclusion that the statement of claim is at variance with the order of reference. From the perusal of statement of claim I find that

certain unnecessary details not even relevant or germane to the order of reference have been recited in the statement of claim, but the fact remains that the statement of claim does make out the matter referred to vide the order of reference and in view thereof it cannot be said that the statement of claim is at variance with the order of reference and this issue is accordingly decided in favour of the workman and against the Management.

14. Issue No. 4 :

In order to appreciate this issue it would be appropriate to reproduce here the schedule of the order of reference :

'Whether the action of the management of Bank of Baroda in extending the period of probation of Shri M. C. Sharma, Overseer Clerk and subsequently terminating his services with effect from the 13th September, 1972 during the extended period of probation when there was no adverse report against him, is justified? If not, to what relief is he entitled?

15. From the perusal of this schedule we find that what has been referred to this action of the Management of the Bank of Baroda in extending the period of probation of the workman and (2) the validity of termination of his services. In the face of this order of reference we cannot see as to what transpired prior to the order of his appointment on probation by the Bank vide Ex. W/5. From the perusal of para 3 of this letter of appointment I find that it has been expressly stipulated therein that the workman 'will be on a probation for a period of six months which may be extended by the Bank at its discretion.' In the face of this categorical reservation in the appointment letter and in the face of this condition of employment it cannot be said that the Bank was not justified or legally entitled to extend the period of probation of six months in the instant case. As regard the justification thereof my attention has been drawn to the statements of M.W.-1 to M.W.-6 and from the perusal of these statements it is established beyond all doubt that time and again it was found that the workman's reports were not very favourable to him and in any case were such which did warrant an extension of period of probation. It has been urged on behalf of the workman that none of the officers who had commented upon his work were qualified to comment upon it but I do not find any weight in this argument in so far as it is not denied on behalf of the workman that officers who had commented upon his work were certainly his superior and as such supervising his work. Mere fact that these officers did not possess any technical qualification would not disqualify them from assessing the work of this workman who was working under their charge. From the nature of appointment as well as evidenced by Ex. W/5 it is apparent that the workman was engaged as Overseer Clerk and his duties included all work regarding maintenance of the building and other clerical duties. In the face of designation and in the face of the nature of duties it cannot be accepted that any special technical qualification were required for assessing the work of this workman. It would not be out of place to mention here that this workman was appointed in the clerical grade as Overseer Clerk which fact is very significant. Keeping in view these facts it cannot be said that the extension of period of probation of the workman was unwarranted or not justified.

16. It may be mentioned here that even para 21.18 of the Desai Award enables banking organisations to employ persons initially at six months probation which period of probation is liable to be extended at the discretion of the employing bank. The more important of the portion of the provisions of para 21.18 is that where the workman is not agreeable to the extended period of probation it is open to him to request to be relieved which in the instant case was never done. Therefore the workman would be now estopped to challenge the validity of extension of period of probation. This para 21.18 of the Desai Award is in modification of para 508 of the Sastry Award, and such I hold that the extension of probationary period by three months was valid.

17. From the perusal of Ex. W/8 which is the order of extension I find that the period was extended by three

months and this extension was done before the period of expiry of original period of probation. That being the position it cannot be said that the extension of probation period is invalid on that ground either. The accumulative effect of my discussion is that the extension of period of probation was justified, legal and enforceable.

18. The next question to be considered is whether the termination was invalid. From the perusal of letter Ex. W/2 I find that the Bank had afforded opportunity to the workman to improve his work which opportunity was not properly utilised by the workman. The probation period was extended by three months w.e.f. 15-6-1972 and as such was likely to expire on 15-9-1972 but before the expiry of such extended period of probation the services of workman were terminated on 13th September, 1972. That being the position it would be difficult to find fault with the order of termination either. I have perused the testimony of M.W. 1 M.W. 6 and with particular attention to the cross examination but it cannot be said from the perusal thereof with the termination of service has been mala fide; Naulal fide as such proved or even alleged against the Management or the precise officers who have appeared as witnesses or who had reported against his work after his appointment of probation. Mere fact that some officers had reported against him prior to his appointment vide Ex. W/5 cannot be of any avail so far as this termination goes because for the purposes of our reference it is accepted that his services started with the appointment letter Ex. W/5, and there was no question of looking into his previous service with M/s. Master Sathe and Kothari. Likewise no benefit can be drawn by the workman from the fact that M/s. Master Sathe and Kothari had been even consulting the Bank before extending the original appointment of the workman or even granting increment. For that matter the fact that payments were made by the Bank would also not effect. That earlier appointment had come to an end when the contract of M/s. Master Sathe and Kothari had terminated with the completion of the building of the Bank. In view of my discussions above, I do not think that the workman can make use of the services under the Architect for the purposes of this reference.

19. One more fact which cannot be lost sight of this Tribunal in the present case is the total absence of bias in the Bank authorities vis-a-vis this workman in so far as the moment the workman approached the Chairman of the Bank against cession of his services with the Architect the Chairman even accommodated him by appointing him with the Bank on regular basis as Clerk Overseer. This was more in the nature of a concession rather than as a matter of right.

20. It would not be out of place to mention here that the probation period of a workman is the subjective judgment of his superior and it would not be possible for this court to super impose its objective judgment in this context. It is they whose function it is to assess the work of the workman and his suitability for extension of the probation period or termination in consequence of un-successful completion of probation period. In the instant case I have considered the matter from the all possible angles but I have come to the conclusion that the position of the Management is unassailable and they were justified in extending the period of probation and finally terminating the services of the workman.

21. In view of my discussions and findings above, I have come to the conclusion that the action of the Management of Bank of Baroda in extending the period of probation of Shri M. C. Sharma, Overseer Clerk and subsequently terminating his services w.e.f. 13th September, 1972 during the extended period of probation is justified and as such the workman is not entitled to any relief what-so-ever and accordingly it is awarded that the action of the Management of Bank of Baroda in extending the period of probation of Shri M. C. Sharma, Overseer Clerk and subsequently terminating his services w.e.f. 13th September, 1972 during the extended period of probation is justified and that the workman is not entitled to any relief what-so-ever. Parties are left to bear their own costs.

MAHESH CHANDRA, Presiding Officer

Dated : the 6th August, 1979.

[No. L-12012/167/73-LR.III/D IIA]

S.O. 3101.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, New Delhi in the industrial dispute between the employers in relation to the management of State Bank of Bikaner and Jaipur, Jaipur and their workman over termination of services of Shri Ram Prakash, Peon of Baraitpur Branch with effect from 22-10-1975, which was received by the Central Government on 8-8-1979.

BEFORE SHRI MAHESH CHANDRA, PRESIDING
OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT, NEW DELHI
I.D. No. 210 of 1977

In re :

The General Secretary,
Rajasthan Bank Employees' Union,
Jaipur Hotel Building,
S.M.S. Highway,
Jaipur.

...Petitioner

Versus

The Managing Director,
State Bank of Bikaner and Jaipur
S.M.S. Highway,
Jaipur.

PRESENT :

Shri R. L. Khandelwal—for the workman.

Shri P. Surya Narayan—for the Management.

AWARD

The Central Govt. as appropriate Govt. vide its order No. L-12012/196/76-D.I.A. dated the 23rd December, 1977 made a reference to this Tribunal u/s. 10 of the I.D. Act, 1947.

"Whether the action of the management of State Bank of Bikaner and Jaipur, Head Office at Jaipur in terminating the services of Shri Ram Prakash, Peon of Bharatpur, Industrial Area Branch of State Bank of Bikaner and Jaipur w.e.f. 22-10-1975 was justified? If not, to what relief the workman is entitled?"

2. On receipt of the reference usual notices were sent to the parties and before any statement of claim was filed by the workman, the Management filed an application stating therein that the parties have compromised the dispute vide Ex. S/1. It was ordered to be recorded in so far as it was beneficial for the workman. The statement of Shri R. L. Khandelwal and Shri P. Suryanarayan, the representative of the Union and the Management respectively was recorded in which it is stated by them that 'Parties have already arrived at a settlement copy S/1 and a no dispute award be made. Parties would be bound by the settlement and would bear costs'.

3. In view of the statement recorded above, a no dispute award is hereby made in the reference and parties are left to bear their own costs.

AGREEMENT BETWEEN THE ASSOCIATE BANKS
(EXCLUDING STATE BANK OF SAURASHTRA) AND
THE STATE SECTOR BANK EMPLOYEES' ASSOCIATION

TION

NAME OF THE PARTIES :

- (1) (i) State Bank of Bikaner and Jaipur
 - (ii) State Bank of Hyderabad.
 - (iii) State Bank of Indore.
 - (iv) State Bank of Mysore.
 - (v) State Bank of Patiala.
 - (vi) State Bank of Travancore.
- hereinafter called the 'Associate Banks'.

(2) Workman employed in above Bank represented by the State Sector Bank Employees' Association, hereinafter called the 'Association'.

RI PRESENTING THE ASSOCIATE BANKS .

- (i) Shri M. B. Dutta,
Managing Director,
State Bank of Bikaner and Jaipur.
Jaipur.
- (ii) Shri A. S. Mongia,
Managing Director,
State Bank of Hyderabad,
Hyderabad.
- (iii) Shri P. S. Santhenakrishana,
Managing Director,
State Bank of Indore.
Indore.
- (iv) Shri M. B. Deshmukh,
Managing Director,
State Bank of Mysore.
Bangalore.
- (v) Shri S. S. Sahni,
Managing Director,
State Bank of Patiala,
Patiala.
- (vi) Shri S. Rangachari,
Managing Director,
State Bank of Travancore,
Trivandrum.

REPRESENTING OF ASSOCIATION :

- (i) Shri P. S. Sundaresan,
Vice-Chairman,
State Sector Bank Employees' Association.
- (ii) Shri T. K. V. Nair,
General Secretary,
State Sector Bank Employees' Association.

THIS AGREEMENT made on the One thousand nine hundred and seventy eight between the Associate Banks of the one part and the State Sector Bank Employees' Association registered under the Indian Trade Unions Act and having its Office at Trivandrum of the other part ;

Whereas in pursuance of and as sequel to the judgement of the Supreme Court date dthe 16th January 1976, in Civil Appeals Nos MDS 933 and 934 of 1975 (State Bank of India Vs. N. Sunderamony) hereinafter referred to as "the judgement". Certain temporary employees whose services stood terminated have been and/or are being and/or will be taken back by the Associate Banks in their service, such temporary employees being hereinafter referred to as the "concerned temporary employees";

Whereas differences of opinion exist in regard to the benefits of back-wages, seniority in service, increments and other benefits that would flow to the temporary employees from the judgment.

Whereas the Association has been contending that all the concerned temporary employees should be given all full benefits as if there have been no termination at all ;

Whereas the Associate Banks have been contending that the judgement of the Supreme Court is clear that the employee who has been directed to be reinstated by that judgement will be appointed de novo, will be ranked below all permanent employees and will be deemed to be a temporary hand and that he will not be allowed to claim any advantages in the matter of seniority or other priority inter se temporary employees and that as regard the emoluments after the termination, although the judgement stated that the employee will have to pursue other remedies, if any it really meant that the employee would have been entitled to such emoluments only if the direction in the judgement had not been that the employee should be appointed de novo ;

Whereas the Association and some of the concerned temporary employees individually have been raising differences with the Associate Banks and that, in fact in some cases, the Central Government has referred the dispute for

adjudication by Industrial Tribunals continued under the Industrial Disputes Act, 1947 ;

Whereas the Associate Banks and the Association have discussed the issues in all its aspects and in all its details and have considered that it would be just fair, and reasonable having regard to the various circumstances of the case and the interests of the concerned temporary employees a settlement of the dispute should be made as hereinafter appearing :—

NOW THESE PRESENTS WITNESS AND IT IS HEREBY AGREED BY AND BETWEEN THE PARTIES HERETO AS FOLLOWS :—

1. That each of the concerned temporary employees will be paid back-wages together with such increments as would have been admissible to him as a temporary employee in the Associate Bank's service for the period upto the date of reinstatement, from the date of judgement, namely, 16th January 1976, if the date of last termination of his services was earlier than the 16th January 1976 and from the date of the last termination if it is later than the 16th January, 1976.
2. Notwithstanding anything in clause 1 above, none of the concerned temporary employees will be entitled to be paid more than the short fall in wages, if any, between the back-wages and the wages earned by him during the period by an employment under any other employer. A statement by the concerned temporary employee setting out whether he was employed during the whole or part of the period referred to in clause 1 above and if employed, the total remuneration that he received from his employer during that period duly verified as true and correct by two respectable persons known to the Associate Banks shall be deemed as adequate and conclusive evidence of the fact or otherwise of the employment of the concerned temporary employee during the whole or part of the period referred to in clause 1 above and the remuneration he received from the employer.
3. The procedure that will be adopted for the payment of the back-wages referred to in clause 1 above will be that the concerned temporary employee shall submit an application setting out the claim to the authority under whose administrative control he has been reinstated in the Associate Bank's service along with a statement on the lines set out in clause 2 above. Unless the said authority has any reasonable grounds to come to the conclusion that the statement does not contain true and correct particulars, the payment shall be made as early as possible on receipt of the application. If at any time it comes to the notice of the Associate Bank that the averments made

in the statement referred to above are untrue and false in any respect, the concerned temporary employee will be liable for disciplinary action on the basis that it is a gross misconduct.

4. The concerned temporary employees will not be eligible for any other special benefits including seniority in service as flowing from the reinstatement in service other than what are normally provided for in the terms and conditions of service of temporary employees in the Banks.
5. All disputes raised by the Association, its Units or any individual employee or anybody else in regard to benefits of back-wages, seniority in service, increment or other benefits flowing from reinstatement have been settled by virtue of this Agreement and that the parties to such disputes shall report this agreement for being recorded by any authority like an Industrial Tribunal, Labour Court, Conciliation Officer or any other authority before whom disputes may be pending and all such disputes shall no longer subsist and be deemed to have been withdrawn.

In witness whereof the parties hereto have executed these presents on the day, months and year first above written.

SIGNED AND DELIVERED on behalf of the State Bank of Bikaner & Jaipur by its Managing Director in the presence of.....(Sd/-)

Sd/-
M.B. Dutta

SIGNED AND DELIVERED on behalf of the State Bank of Hyderabad by its Managing Director in the presence of.....(Sd/-).....

Sd/-
(A.S. Mongia)

SIGNED AND DELIVERED on behalf of the State Bank of Indore by its Managing Director in the presence of....(Sd/-)

Sd/-
ILLEGIBLE

SIGNED AND DELIVERED on behalf of the State Bank of Mysore by its Managing Director in the presence of....(Sd/-)

Sd/-
(M.B. Deshmukh)

SIGNED AND DELIVERED on behalf of the State Bank of Patiala by its Managing Director in the presence of....(Sd/-)

Sd/-
(S.S. Sahni)

SIGNED AND DELIVERED on behalf of the State Bank of Travancore by its Managing Director in the presence of (Sd/-)

(S. Rangachari)

SIGNED AND DELIVERED on behalf of the State Sector Bank Employees' Association by its Vice-Chairman and General Secretary in the presence of

Sd/-
(P.S. Sundaraman)
Vice-Chairman
(T.K.V. Nair)
General Secretary

MAHESH CHANDRA, Presiding Officer

[No L-12012/196/76-D.II.A]

S. K. MUKHERJEE, Under Secy.

